

**PROPOSED REGULATION OF THE DIRECTOR OF THE
DEPARTMENT OF MOTOR VEHICLES AND PUBLIC SAFETY**

LCB File No. R015-97

July 30, 1997

EXPLANATION--Matter in italics is new; matter in brackets [] is material to be omitted.

AUTHORITY: NRS 481.051 and 483.908.

Section 1. Chapter 483 of NAC is hereby amended by adding thereto a new section to read as follows:

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

2. Restriction and Description

Criteria for Restriction

Restriction D - Daylight driving only.

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

Restriction E - Speed not to exceed 45 miles per hour. This restriction is placed on the driver's license of a person who is required to wear a telescopic device while operating a motor vehicle or upon the recommendation of a physician or the department after the administration of a driving test to the applicant.

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

Restriction O - Yearly driving test. This restriction is placed on the driver's license of a person based on the person's performance on his driving test or on the driver's license of a person who is required

to wear a telescopic device while operating a motor vehicle.

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

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

Restriction X - Other restriction or instruction permit.

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

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

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

Sec. 2. NAC 483.110 is hereby amended to read as follows:

483.110 1. The holder of a class A driver's license may drive any combination of vehicles with a gross combination weight rating of 26,001 or more pounds, if the gross vehicle weight rating of the trailing vehicle is more than 10,000 pounds. The holder also may drive a vehicle falling within class B or class C, but may not drive a motorcycle, unless the holder obtains an appropriate endorsement.

2. The holder of a class B driver's license may drive any single vehicle with a gross vehicle weight rating of 26,001 or more pounds, or any vehicle which is towing another vehicle which does not have a gross vehicle weight rating of more than 10,000 pounds, and all vehicles falling within class C, but may not drive a motorcycle unless the holder obtains an appropriate endorsement.

3. The holder of a class C driver's license may drive any single vehicle, or combination of vehicles, that does not meet the definition of a vehicle for which a class A or class B driver's license is required, including a moped, but may not:

- (a) Drive a motorcycle, unless the holder obtains an appropriate endorsement;
 - (b) Tow a vehicle with a gross vehicle weight rating of more than 10,000 pounds, unless the holder obtains a J endorsement;
 - (c) Drive a combination of vehicles with a gross combination weight rating of less than 10,000 pounds, unless the holder obtains a R endorsement; or
 - (d) Drive a combination of vehicles exceeding 70 feet in length.
4. The department may place a restriction [X] I on a class A, class B or class C driver's license if the holder of the license does not pass a knowledge test and a driving skills test in a vehicle which is equipped with air brakes.
5. In addition to the tests authorized by chapter 483 of NRS, the holder of a driver's license may be required to pass a driving skills test in an appropriate vehicle to receive an endorsement authorizing the holder to drive a specific type of vehicle.
6. The holder of a class M driver's license may drive a motorcycle, trimobile or moped. The holder of a class A, class B or class C driver's license may drive a motorcycle only if he obtains a class M endorsement on his driver's license.
7. An applicant who is administered a test of his driving ability on a motorcycle which does not exceed 6 1/2 horsepower or a displacement of 90 cubic centimeters will be issued a [restricted, class M-U] class M driver's license [.] with a U restriction.
8. An applicant who is administered a test of his driving ability on a motorcycle which has three wheels in contact with the ground will be issued a [restricted, class M-X] class M driver's license [.] with an X restriction.
9. An applicant who is administered a test of his driving ability on a moped as defined by NRS 483.088, will be issued a [restricted, class M-Z] class M driver's license [.] with a Z

restriction. A class M [-Z] driver's license *with a Z restriction* does not authorize the operation of any other motor vehicle.

10. For purposes of this section, "gross combination weight rating" means:

(a) The weight specified by the manufacturer of a vehicle as the combined loaded weight of that vehicle and a trailing vehicle; or

(b) If the manufacturer fails to specify a weight, the sum of the gross vehicle weight rating of the power unit, the weight of the trailing vehicle and the weight of any load thereon.

Sec. 3. NAC 483.300 is hereby amended to read as follows:

483.300 1. The department has good cause to believe written information which is [notarized and] received from:

(a) Federal, state or local police authorities;

(b) Licensed physicians, psychiatrists, psychologists and optometrists;

(c) The department of human resources;

(d) The state industrial insurance system;

(e) State and private health institutions or health practitioners;

(f) Federal or state courts; or

(g) Authorized representatives of the department, or any other information given under oath.

2. Upon receipt of such information, the department will act upon it as if it were true, unless and until sufficient proof is presented to indicate the original information was untruthful.

Sec. 4. NAC 483.310 is hereby amended to read as follows:

483.310 1. If a representative of the department has good cause to believe that an applicant is afflicted with or suffering from any physical or mental disability or disease which may prevent the applicant from [safely] operating a motor vehicle *safely* or which makes such

operation [inimical] *hazardous* to public safety, the department may require physical or mental examinations and reports by a licensed physician, psychiatrist, psychologist, certified drug and alcohol counselor or any other competent authority acceptable to the department. The cost of the examination must be borne by the person whose fitness to operate a motor vehicle safely is in question. The applicant must submit a medical report *to the department that is* completed and signed by his physician . [indicating his condition and] *The medical report must indicate whether the condition of the applicant and any medication prescribed for the applicant would affect* his ability to operate a motor vehicle safely . [to the department of motor vehicles.] The report must be submitted within 30 days after the date of the physical or mental examination.

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

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

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

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

Sec. 5. NAC 483.320 is hereby amended to read as follows:

483.320 1. The department will revoke the driver's license of any person who fails to submit to an examination within 15 days after it is requested.

2. **[Failure]** *If a licensee fails to comply with [any restrictions] restriction M, N or O, or any combination thereof, as those restrictions are described in NAC 483.350 and section 1 of this regulation, the department will cancel his license. If a licensee fails for a second time to comply with any other restriction imposed by the department [will be grounds for a 3-month suspension of the person's license.], the department will suspend his license for 3 months.*

3. If it is determined *that* a licensee is physically or mentally incompetent to operate a motor vehicle, the department may afford the licensee the opportunity to **[voluntarily]** surrender his driver's license **[.]** *voluntarily.* Upon receipt of the license, the department will cancel the driving privilege **[until the person]** *and issue an identification card at no charge. The licensee may apply*

for a reinstatement of his driver's license if he presents medical evidence satisfactory to the department that he is physically or mentally capable of operating a motor vehicle. [Failure by] If the licensee [to voluntarily] fails to surrender his license voluntarily to the department within 15 days after [it is requested to the department will result in the revocation of] the department requests the surrender, the department will suspend his driving privilege. The department will revoke the suspension of the driving privilege of the licensee, cancel his driver's license and allow the licensee to apply for a new driver's license pursuant to the provisions of NRS 483.010 to 483.630, inclusive, if the licensee submits to the department proof that is satisfactory to the department that he was physically unable to surrender his driver's license when requested.

Sec. 6. NAC 483.330 is hereby amended to read as follows:

483.330 A person who has experienced any of the following physical or medical ailments or any related ailments, and who is applying for or renewing a driver's license or who is requested by the department to obtain a medical examination, must submit a written medical report describing the ailment and its effect on the person's ability to operate a motor vehicle safely:

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

2. Any person having a cardiovascular ailment or related ailment occurring within the last 3 years [, such as] *which may interfere with the ability of the person to operate a motor vehicle safely, including, without limitation,* myocardial infarction, angina pectoris, coronary

insufficiency, thrombosis or any other cardiovascular disease of a variety known to be accompanied by syncope, dyspnea, collapse or congestive cardiac failure.

3. [Any person having a clinical diagnosis of high blood pressure which is likely to interfere with his ability to operate a motor vehicle safely.

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

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

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

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

[8. Any person suffering from severely impaired hearing which may interfere with his ability to operate a motor vehicle safely.

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

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

Sec. 7. NAC 483.340 is hereby amended to read as follows:

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

(a) Vision with no progressive abnormalities or diseases of the eye:

(1) Better than and including 20/40 - full driving privileges.

(2) Worse than 20/40 through and including 20/70 - daylight driving only.

(3) Worse than 20/70 - not eligible to be licensed.

(b) Vision with progressive abnormalities or diseases of the eye:

(1) Better than and including 20/40 - full driving privileges.

(2) Worse than 20/40 through and including 20/60 - daylight driving only [.] *and yearly visual examination.*

(3) Worse than 20/60 - not eligible to be licensed.

(c) Drivers with vision of 20/100 or worse in one eye and the vision in the other eye is:

(1) Better than and including 20/40 - full driving privileges.

(2) Worse than 20/40 through and including 20/50 - daylight driving only [.] *and yearly visual examination.*

(3) Worse than 20/50 - not eligible to be licensed.

2. A person who fails to meet the minimum levels *of acceptable vision* for a [restricted] license may not be licensed to drive and [shall not participate in road tests conducted by] the drivers' license division [.] *shall not administer a driving test to that person.* A person who fails to meet minimum standards may submit a medical report by a physician or optometrist licensed to practice in this state for consideration by the division or the medical advisory board. The drivers' license division may request additional opinions or supporting information if a medical report is questionable or unclear. All medical reports are advisory and are not binding on the drivers' license division.

Sec. 8. NAC 483.350 is hereby amended to read as follows:

483.350 1. The restrictions and compulsory requirements described in subsection 2 may be imposed when licensing persons to drive. [No] A driver's license will *not* be issued and [no road] *a driving* test will *not* be conducted until the applicant complies with the provisions of this section.

2. Restriction and Description

Criteria for Restriction

Restriction A - Corrective lenses.

This restriction is placed on the driver's license of a person who [does not have 20/40 vision in both eyes without the aid of glasses.] *meets the minimum levels of acceptable vision set forth in NAC 483.340 only with the aid of corrective lenses.*

Restriction B - Telescopic device.

This restriction is placed on the driver's license of a person who [does not have 20/40 vision in both eyes without] *meets the minimum levels of acceptable vision set forth in NAC 483.340 only with the aid of a telescopic device.*

Restriction C - [Outside mirror, both sides.]

This restriction [applies to] *is placed on the*

Additional rearview mirrors.

driver's license of a person who [has 20/50 or better vision in one eye, but who] is legally blind (20/200) in the [other eye.] right eye, whose hearing is impaired, who is required to wear a telescopic device while operating a motor vehicle or whose mobility of his head or neck is limited. The restriction may specify the requirement of a right or left outside mirror, outside mirrors on both sides, a wide rearview mirror or a mirror that extends across the entire width of the interior of the windshield.

[Restriction D - Daylight driving only.

This restriction applies to a person with 20/50 or better vision in one eye, but who is legally blind (20/200) in the other eye.

Restriction E - Speed not to exceed 45 miles per hour.

This restriction is placed on the driver's license upon recommendation of a medical doctor or upon the recommendation of an office supervisor after having tested the applicant.

Restriction F - Automatic transmission.

This restriction is placed on the driver's license of a person who is missing one or both of his lower limbs or his right arm.]

Restriction G - Directional signals.

This restriction is placed on the driver's license of a person who is [paralyzed in the arms or is missing an arm.] *physically unable to perform signals with his arms or whose license is restricted to hand controls.*

Restriction H - Grip on steering wheel or power steering.

This restriction is placed on the driver's license of a person [with extreme arthritis in the hands, paralysis in a hand or who is missing a hand.] *who has difficulty gripping or turning the steering wheel of the motor vehicle.*

Restriction I - Hearing aid.

This restriction [is] *may be* placed on the driver's license of a person who wears a hearing aid.

Restriction J - Seat cushion or automatic seat.

This restriction is placed on the driver's license of a person who the examiner

determines is unable to see adequately out of the windows or reach the control pedals because of his size. This restriction is not limited to a seat cushion or automatic seat if another device is available . [or if the vehicle is small enough to allow the driver to operate safely the vehicle and to touch the control pedals and see out of the window of the vehicle.]

Restriction K - Hand controls or pedal extensions.

This restriction is placed on the driver's license of a person who [has severely paralyzed legs or who is missing both legs.] *is physically unable to operate the control pedals of a motor vehicle.*

Restriction L - Left foot accelerator.

This restriction is placed on the driver's license of a person who is [missing his right foot.] *physically unable to operate the right foot accelerator.*

Restriction M - Yearly vision examination.

This restriction is placed on the driver's license of *any person who is required to*

wear a telescopic device while operating a motor vehicle or a person whose vision [minimally meets the qualifications set forth by the drivers' license division after having been evaluated] is 20/50 or worse in both eyes and who is determined by an eye specialist [.]to have a progressive abnormality or disease of the eye.

Restriction N - Yearly medical letter.

This restriction is placed on the driver's license of a person who has had seizures or episodes of altered consciousness within the last 3 years [, heart problems or other medical problems which the examiner or the supervisor feels] *or another physical or mental condition that his physician determines* necessitates a yearly medical [letter from his physician.] *examination.*

[Restriction O - Yearly driving test.

This restriction is placed on the driver's license based on an applicant's physical stability and ability to operate a vehicle on his first driving test.]

Restriction P - Physical examination every 2 years.

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

[Restriction R - No explosives, hazardous cargo or passengers for hire.

This restriction applies to class A or class B driver's licenses and is placed on the driver's license of a person who has impaired vision, has had an episode of altered consciousness within the last 3 years or has another physical defect which may make it unsafe to transport explosives, hazardous cargo or passengers for hire.

Restriction X - Other.

This restriction is used for any other restrictions required by the drivers' license division and approved by the supervisor, including more frequent doctor's letters, eye reports and other restrictions deemed necessary by an examiner or supervisor.]

Restriction Q - Must wear prosthetic device.

This restriction is placed on the driver's license of a person who is required to wear

a prosthetic device while operating a motor vehicle.

Restriction 7 - Medical waiver.

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

3. The department will place any other restriction that is not otherwise described in this section or section 1 of this regulation upon the driver's license of a person if the physician of that person so recommends.

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

Criteria for Restriction

Restriction S - Mail renewal, retest required.

This restriction is placed on the driver's license of a person who is out of the state at the time of renewal and is required to take **[the written test,]** *a test for the renewal of*

his license, but is unable to do so until returning to Nevada.

Restriction T - To and from school only.

This restriction is placed on the driver's license of a person between 14 and 16 years of age who is granted a restricted driver's license to drive to and from school.

Restriction [M-]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 [M-] Z - Moped.

This restriction is placed on the driver's license of a driver who performs the skill portion of the test on a moped. The driver may only operate a moped as defined by NRS 483.088.

Restriction V - No passengers on motorcycle.

This restriction is placed on a class M driver's instruction permit and prohibits the

holder [of a class M driver's instruction permit] from carrying passengers on a motorcycle.

Restriction W - Direct visual supervision by a person 21 years of age or older.

This restriction is placed on a class M driver's instruction permit and [is one of the requirements for the operation of a motorcycle under a motorcycle driver's instruction permit. The permittee must] *requires the holder, while operating a motorcycle, to be under the* direct visual supervision of a person who is licensed and *at least* 21 years of age . [or older while the permittee is operating the motorcycle.

Restriction X - Other.

This restriction is used for any other restrictions required by the division and approved by the supervisor, including more frequent doctor's letters, eye reports and other restrictions deemed necessary by an examiner or supervisor.]

Restriction I - 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 vehicle which is equipped with air brakes.

Restriction 2 - Intrastate operation of a commercial motor vehicle 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 under 21 years of age.

Restriction 3 - May transport passengers in vehicles falling within class B or class C only.

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

Restriction 4 - May transport passengers in vehicles falling within class C only.

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

Restriction 5 - May tow a vehicle with a

This restriction is placed on a class B

gross vehicle weight rating of more than 10,000 pounds only when operating a vehicle falling within class C.

driver's license that contains a J endorsement.

Restriction 6 - May tow a combination of vehicles weighing less than 10,000 pounds and not exceeding 70 feet only when operating a non-commercial vehicle.

This restriction is placed on every commercial driver's license unless the license contains an endorsement for towing more than one trailer.

Restriction 8 - May tow a forklift only.

This restriction is placed on the class A or class B, commercial driver's license of a person if he completes the driving skills test towing a forklift.

Restriction 9 - May operate only vehicles falling within class A that are tow cars.

This restriction is placed on the class A, commercial driver's license of a person if he completes the driving skills test in a tow car.

3. As used in this section, "tow car" has the meaning ascribed to it in NRS 484.201.

Sec. 10. NAC 483.370 is hereby amended to read as follows:

483.370 If one or more of the following physical or mental conditions exist and there is documented evidence through medical examinations or reports in addition to appropriate

departmental evaluations and examinations which indicate the disorder would severely impair the person's ability to operate safely a motor vehicle, the department will not issue or renew the license, permit or privilege. The existence of one of these conditions does not automatically preclude the person from obtaining a license if the condition is not severe enough to impair his driving ability:

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

(a) He has been free of seizures or has not suffered any fainting or dizzy spells or other such disorders for a period of 3 months [*or until a satisfactory diagnosis by a competent physician describing the person's ailment and its effect on the person's ability to operate a motor vehicle safely has been submitted to the division.*] ; *or*

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

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

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

3. [*Severe high*] *High* blood pressure.

4. [Any mental, nervous or functional disease or psychiatric disorder.] Any physical or mental condition which impairs the ability of the person to operate a motor vehicle safely and which:

(a) Affects perception;

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

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

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

5. Any respiratory dysfunction.

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

7. [Excessive use of alcohol or controlled substances as evidenced by three convictions of driving under the influence within the last 4 years.

8.] Inability to meet the minimum [acceptable visual requirements] levels of acceptable vision established by the division.

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

Sec. 11. NAC 483.400 is hereby amended to read as follows:

483.400 1. If a person who, for medical or physical reasons or because his licensing would be [inimical] hazardous to public safety, has been denied a license or permit, or has had his license suspended, revoked or canceled subsequently applies for issuance or reinstatement of the license or permit, he may be required to submit the following information:

(a) A current statement of his case history.

(b) A current statement concerning the ailment by any treating physician or psychiatrist, psychologist, certified drug and alcohol counselor or any other competent authority acceptable to

the department. The statement must include the diagnosis, treatment and prospect of recovery from or control of the ailment.

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

(d) Evidence of the medical advisory board's approval, when applicable.

(e) Any other information the department deems relevant.

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

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

Sec. 12. NAC 483.415 is hereby amended to read as follows:

483.415 A driver's license to operate a motor vehicle while wearing a telescopic device must be subject to:

1. Restrictions A, B, C, D, E, M and O as they are described in NAC 483.350 *and section 1 of this regulation*; and

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

Sec. 13. NAC 483.430 is hereby amended to read as follows:

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

(a) The license expires 4 years after the date of expiration stated thereon because a certificate of renewal has been issued for the license;

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

(c) At the time the drivers' license division of 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 driver's license or privilege to drive in that jurisdiction is suspended, revoked or canceled or that his application for a driver's license in that jurisdiction has been denied;

(d) The license is subject to restriction M, N, O or S , *or any combination thereof*, as those restrictions are described in NAC 483.350 [and 483.360;] , *483.360 and section 1 of this regulation*;

(e) He is less than 25 years of age or 71 years of age or older;

(f) He 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; or

(h) His name is listed in the records of the department as a person who must renew his driver's license in person because the department believes that the information contained on his driver's license may be incorrect or that his license may have been issued as a result of fraud or mistake.

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

Sec. 14. The amendatory provisions of this regulation do not apply to a person whose driver's license was issued or renewed before the effective date of this regulation.

