

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

LCB File No. R135-97

October 9, 1997

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

AUTHORITY: §§ 2-11, NRS 483.383.

Section 1. Chapter 483 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 10, inclusive, of this regulation.

Sec. 2. *The provisions of sections 2 to 9, inclusive, of this regulation apply to a person who is temporarily residing outside of this state at the time he applies to renew his driver's license by mail.*

Sec. 3. 1. *A person may apply for the renewal of his driver's license by mail by submitting to the department:*

(a) An application provided by the department; or

(b) A letter of request which must include the following:

(1) His full name.

(2) His date of birth.

(3) His social security number.

(4) Except as otherwise provided in this subparagraph, his mailing address and the address of his residence in this state. If the applicant is an employee of the federal government, on active military duty or a dependent of such a person, he is not required to

comply with this subparagraph, but he must submit an employment or military record which indicates that this state is the state of his residence.

(5) His mailing address outside the state.

(6) His physical description, including, without limitation, his height and weight and the color of his hair and eyes.

(7) His mother's maiden name.

(8) His signature.

2. Each application or letter of request must be accompanied by:

(a) The required fee.

(b) A report regarding the vision of the applicant from a licensed ophthalmologist, optometrist or physician, or an agency which issues driver's licenses in another state. The report must:

(1) Be signed by the ophthalmologist, optometrist or physician, or a representative of the agency;

(2) Include the applicant's name, address, driver's license number and social security number;

(3) Be dated not earlier than 90 days before its submission to the department;

(4) Include visual acuity readings acceptable to the department; and

(5) Indicate whether the test was administered with corrective lenses.

(c) If the applicant 71 years of age or older, 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. The statement must be:

(1) Completed on a form acceptable to the department.

(2) Dated not earlier than 90 days before its submission to the department.

(d) If the applicant is an employee of the federal government, on active military duty or a dependent of such a person, proof that he is:

(1) On active military duty or a dependent of such a person; or

(2) Employed by the federal government or a dependent of such a person.

(e) If the application is to change the:

(1) Name;

(2) Date of birth;

(3) Social security number; or

(4) Sex,

of the applicant, proof of the correct information.

3. Each application or letter of request must be submitted to a driver's license office of this state.

4. Each applicant will be given the opportunity to register to vote or to correct information in the registrar of voters' register.

5. The department will, within 10 business days after receiving the application or letter of request:

(a) Mail a renewed driver's license to the applicant;

(b) Request additional information from the applicant; or

(c) Deny the application or request.

6. Each renewed driver's license mailed pursuant to this section must have the words "valid without photo" in the place where the photograph of the licensee would appear if the licensee had renewed his driver's license in person.

Sec. 4. 1. *The department will attempt to verify the identity of each person who applies for the renewal of his driver's license by mail by comparing the applicant's signature on his application with the signature on the applicant's current driver's license.*

2. *The department may attempt to verify the identity of each applicant by examining other original documents, including, without limitation, the passport or military identification of the applicant.*

Sec. 5. 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 renew his license by mail unless:*

(a) His license or driving privilege is suspended, revoked, canceled or denied;

(b) He holds a commercial driver's license;

(c) Except as otherwise provided in subsection 3, his license has been expired for over 1 year;

(d) Except as otherwise provided in subsection 3, he is applying for a second consecutive renewal by mail; or

(e) Except as otherwise provided in subsection 2 or 3, he is required to take a driving test.

2. *The department may accept proof of the successful completion of a driving test administered by an agency which issues driver's licenses in another state.*

3. *The department may renew the driver's license of any applicant who is employed by the federal government, on active military duty or the dependent of such a person:*

(a) Regardless of whether his driver's license was previously renewed by mail; and

(b) If his driver's license has been expired for more than 1 year but less than 2 years, if the department receives proof that the applicant has successfully completed a driving test administered by an agency which issues driver's licenses in another state.

4. A person whose driving privilege has been suspended, canceled, revoked or denied may renew his driver's license by mail after his driving privilege has been reinstated.

Sec. 6. *1. The department will place a restriction on a driver's license that is renewed by mail designating that a written test is required when the applicant returns to this state if the applicant has been convicted of three or more moving traffic violations within the preceding 4 years.*

2. The department will not issue a driver's license or renew the driver's license by mail or in person until the test required pursuant to subsection 1 has been successfully completed by the applicant.

Sec. 7. *The department will collect a late fee in addition to the required renewal fee to renew any driver's license by mail that has been expired for 30 days or more, unless:*

1. The application or letter of request was postmarked before the license had been expired for 30 days;

2. The application or letter of request was postmarked before the license had been expired for 30 days and the department requested additional information from the applicant; or

3. The applicant is on active military duty.

Sec. 8. *1. An application or letter of request to renew a driver's license by mail will not be processed by the department and a letter requesting additional information will be sent to the applicant within 10 days after receipt of the application or letter of request if:*

- (a) Proof of residence is required;*
- (b) No fee or an insufficient fee was submitted with the application or letter of request;*
- (c) Proof of the applicant's name change is required;*
- (d) Proof of the applicant's military status or employment by the federal government is required;*
- (e) Additional information is needed to locate the driving record of the applicant;*
- (f) There is a discrepancy between the social security number submitted by the applicant and the social security number on the applicant's driving record;*
- (g) The applicant is licensed to drive in another state;*
- (h) The report required pursuant to paragraph (b) of subsection 2 of section 3 of this regulation was not submitted to the department or needs to be corrected; or*
- (i) The applicant's driver's license issued by another state has been suspended, canceled, revoked or denied by that state.*

2. The department may request such additional information as it deems necessary to determine whether an applicant is physically or mentally capable of operating a motor vehicle safely.

Sec. 9. *1. If a person who applies for the renewal of his driver's license by mail notifies the department that he has not received the renewed driver's license within 30 days after the renewed driver's license was mailed and the department determines that:*

- (a) The applicant did not change his mailing address, the department will process and mail another renewed driver's license at no charge to the applicant.*
- (b) The applicant has changed his mailing address, the applicant must apply for a duplicate driver's license and pay the applicable fee for the duplicate driver's license.*

2. *If an applicant has lost, mutilated or destroyed his driver's license, he must apply for a duplicate driver's license and pay the fee for the duplicate driver's license.*

Sec. 10. *The provisions of NRS 483.420 to 483.455, inclusive, apply to a person who is residing in this state at the time he applies to renew his driver's license by mail.*

Sec. 11. NAC 483.420 is hereby amended to read as follows:

483.420 As used in NAC 483.420 to 483.455, inclusive, *and section 10 of this regulation*, "certificate of renewal" means a certificate issued by the department pursuant to NAC 483.445 to a person who renews his driver's license by mail.