

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

LCB File No. R001-98

February 5, 1998

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

AUTHORITY: §§1-7, NRS 481.051, 483.908 and 483.912.

Section 1. 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] *an* R endorsement; or

(d) Drive a combination of vehicles exceeding 70 feet in length.

4. The department may place a restriction 1 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 driver's license who is exempt from the requirements of NRS 483.900 to 483.940, inclusive, and NAC 483.800 to 483.850, inclusive, pursuant to the provisions of subsection 1 or 2 of NAC 483.850 may operate a vehicle described in subsection 1 or 2 of NAC 483.850 only if he obtains an F endorsement on his driver's license.*

7. 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.] 8. 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 class M driver's license with a U restriction.

[8.] 9. 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 class M driver's license with an X restriction.

[9.] 10. An applicant who is administered a test of his driving ability on a moped as defined by NRS 483.088 [,] will be issued a class M driver's license with a Z restriction. A class M driver's license with a Z restriction does not authorize the operation of any other motor vehicle.

[10.] 11. 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. 2. NAC 483.125 is hereby amended to read as follows:

483.125 The provisions of NAC 483.130 to 483.183, inclusive, apply only with respect to commercial drivers' licenses *and commercial vehicles*.

Sec. 3. NAC 483.130 is hereby amended to read as follows:

483.130 If an employer is authorized by the department to conduct the driving skills test for an employee for a class A , [or] class B *or class C* driver's license, the department may accept an affidavit of certification of the driving ability of the employee , *on a form provided by the department*, in lieu of the driving skills test conducted by the department.

Sec. 4. NAC 483.140 is hereby amended to read as follows:

483.140 1. Any person doing business in this state who owns or leases 20 or more vehicles for which a class A , [or] class B *or class C* driver's license is required may apply to

the department for authorization to certify the driving ability of a person employed by him who desires to obtain a class A , [or] class B *or class C* driver's license and to sign an affidavit of certification to that effect.

2. A person who is authorized to certify the driving ability of an employee, and who owns or leases 20 or more vehicles for which a class A , *class B or class C* driver's license is required, *at least one of which is a vehicle for which a class A driver's license is required*, may certify the driving ability of the employee and sign an affidavit of certification [provided by the department,] for the operation of a vehicle for which a class A driver's license is required.

3. A person who is authorized to certify the driving ability of an employee, and who owns or leases 20 or more vehicles *for which a class A, class B or class C driver's license is required, at least one of which is a vehicle* for which a class B driver's license is required, may certify the driving ability of an employee and sign an affidavit of certification for the operation of [only vehicles] *a vehicle* for which a class B driver's license is required.

4. A person who is authorized to certify the driving ability of an employee, and who owns or leases [a combination of] 20 or more vehicles for which a class [A or class B] C driver's license is required, may certify the driving ability of an employee and sign an affidavit of certification for the operation of a vehicle for which a class [A or class B] C driver's license is required.

5. A person who is authorized to certify the driving ability of an employee must:

(a) Successfully complete a 40-hour course provided by the department for administering a driving skills test for a commercial driver's license; [and]

(b) Hold a license of the class and type for which he is certifying driving ability of that employee and signing an affidavit of certification, but may not sign for himself [.] ; *and*

(c) Administer the driving skills test in the same class of vehicle for which the class and type of license the employee's driving ability is being certified is required.

6. The department will assign a number to each person the department authorizes to sign an affidavit of certification for the operation of a vehicle for which a class A , [or] class B *or class C* driver's license is required. This number must be used when completing an affidavit of certification.

Sec. 5. NAC 483.160 is hereby amended to read as follows:

483.160 1. If at any time the number of vehicles owned or leased by a person who is authorized to certify the driving ability of an employee falls below the minimum requirement of 20 vehicles, the person shall immediately notify the department which will delete his name from the list of eligible persons authorized to certify the driving ability of an employee.

2. If a person authorized to certify the driving ability of an employee does not maintain a valid driver's license of the class for which he is authorized to certify, he shall immediately notify the department which will delete his name from the list of eligible persons authorized to certify the driving ability of an employee.

3. A person authorized to certify the driving ability of an employee [must] *shall* notify the department within 10 days after a change in address.

4. Any person assigned a number by the department may renew the authorization each year on a form furnished by the department. If the person fails to renew the number within 30

days after the date of expiration, his authority to certify the class A , [or] class B *or class C* driving test of an employee expires.

Sec. 6. NAC 483.170 is hereby amended to read as follows:

483.170 1. The department may monitor all persons authorized to certify the driving ability of an employee annually or as often as it deems necessary. The monitoring may include an inspection of the person's place of business and other methods deemed appropriate by the department.

2. If the department determines after an inspection that a person no longer meets the requirements for certifying the driving ability of an employee, it will notify the person of the deficiencies. If the deficiencies are minor, the person may be allowed *not more than* 60 days to correct them. If the deficiencies are not corrected within that time, the authority to certify the driving ability of an employee will be revoked.

3. The department will notify the person by certified mail if the authority to certify the driving ability of an employee is revoked and will state in the notice the reason for the revocation. The person authorized to certify the driving ability of an employee may appeal the revocation to the departmental hearing officer within 20 days after receipt of the notice.

Sec. 7. NAC 483.180 is hereby amended to read as follows:

483.180 1. A person who is authorized to certify the driving ability of an employee may not teach an employee to drive a vehicle for which a class A , [or] class B *or class C* driver's license is required by permitting the vehicle to be driven on a public highway, unless the employee has obtained an instruction permit for the class of vehicle he is learning to drive. The

person who is authorized to certify the driving ability of an employee shall ensure that his pupil adheres to the requirements pertaining to the instruction permit.

2. Before certifying the ability of an employee to drive a vehicle for which a class A , [or] class B *or class C* driver's license is required, the person certifying the driving ability of the employee must determine that the employee is able to operate safely and control fully the vehicle for which a class A , [or] class B *or class C* driver's license is required . [, in a responsible manner ensuring the safety of the driving public.]

3. The person who is certifying the driving ability of an employee shall state on a form approved by the department the means by which he determined the qualifications of the employee to operate the vehicles for which a class A , [or] class B *or class C* driver's license is required.

4. A person certifying the driving ability of an employee shall maintain a record for each employee who applies for certification and who is subsequently certified by him. The record must include a description of the training and tests given to each employee. The record must be available for inspection by a representative of the department during normal business hours.