

LCB File No. R157-01

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

Effective January 1, 2002

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

AUTHORITY: NRS 483.725.3

**Section 1.** NAC 483.580 is hereby amended to read as follows:

SCHOOLS FOR *TRAINING DRIVERS and* TRAFFIC SAFETY AND ABUSE OF ALCOHOL AND CONTROLLED SUBSTANCES

483.580 Definitions. *(NRS 481.051, 483.760)* As used in NAC 483.580 to 483.~~660~~795, inclusive, unless the context otherwise requires: *the words and terms defined in NAC 483.580 to 483.740, inclusive, have the meanings ascribed to them in those sections.*

1. *“Abuse of alcohol and controlled substances course” defined. “Abuse of alcohol and controlled substances course” will hereby be known as a DUI School.*

2. *“Application for license” defined. “Application for license” means that an application is not deemed a license to act as a school or instructor until approved by the department.*

3. *“Behind-the-wheel training” defined. “Behind-the-wheel training” means the portion of a course of training provided by a drive school which is taught through the operation of a motor vehicle under real conditions and which is characterized by a student driving on a driving range, on the street, or both, while under the direction of a licensed instructor. “Behind-the-wheel training” is an activity that may only be offered by a licensed drive school.*

4. *“Central repository” defined. “Central repository” means the central repository for Nevada records of criminal history.*

5. *“Classroom instruction for under 18 years old” defined. “Classroom instruction for under 18 years old” means the portion of a course of training provided by a drive school that is taught in a classroom environment by a licensed instructor which meets the criteria set forth in NRS 389.090. “Classroom instruction for under 18 years old” is an activity that may only be offered by a licensed drive school.*

6. *“Communications technology” defined. “Communications technology” means any method or component, or both, that is used by a licensed school pursuant to NRS 483.700 to 483.780, inclusive, to carry out or facilitate the transmission of information, including, without limitation, the transmission and reception of information by:*

*(a) Systems based on the following technologies:*

*(1) Video;*

*(2) Wire;*

*(3) Cable;*

*(4) Radio;*

*(5) Microwave;*

*(6) Light; or*

*(7) Optics; and*

*(b) Computer data networks, including, without limitation, the Internet or it's successor, if any, and intranet services.*

7. ~~[1.]~~ "Course" means an educational course which provides instruction concerning:

(a) The abuse of alcohol and controlled substances and traffic safety and traffic laws which are primarily applicable to driving under the influence of intoxicating liquor or controlled substances; or

(b) Traffic safety, including, without limitation, how to drive defensively.

*(c) Program of instruction offered by a drive school which includes instruction in a classroom or motor vehicle or both.*

8. ~~[2.]~~ "Director" means the director of the Department of Motor Vehicles ~~[and public safety].~~

9. ~~[3.]~~ "Established place of business" means a school or the branch ~~[office]~~ *location* of a school:

(a) Where a licensed school *is authorized to* conduct~~[s]~~ instruction ~~[or maintains records];~~

(b) Which is actually occupied continuously or during regular periods; ~~[and]~~

(c) Which is not located in a house trailer, hotel room or private home~~[.];~~

*(d) Which is physically located in this state;*

*(e) Which provides sufficient space to accommodate and provide a safe place to keep the book and all records of the principal place of business.*

10. "General Classroom instruction" defined. "General Classroom instruction" means the portion of a course of training provided by a drive school that is taught in a classroom environment by a licensed instructor. "General Classroom instruction" is an activity that may only be offered by a licensed drive school.

11. "Instructor" defined. "Instructor" means a person who is licensed and authorized by the department to teach a course for a licensed drive, DUI and/or traffic safety school.

12. ~~[4.]~~ "Instructor trainee" means a person who is approved by the department to instruct courses in the presence of an instructor who is licensed by the department.

~~[5. "Operator" means a person who owns, manages or otherwise sets policies for a school.]~~

13. "Owner" of a drive, DUI or traffic safety school defined. "Owner" means a natural or artificial person licensed by the department who controls, operates or supervises a business that gives instruction in driving, abuse of alcohol and controlled substances or traffic safety.

14. ~~[6.]~~ "School" defined. "School" means an ~~[agency]~~ *natural person, artificial person, [or]* business *such as a partnership, corporation or other business entity*, which sponsors or provides a course for members of the public.

15. "School for Training Drivers" defined. "School for Training Drivers" means a business that conducts courses of classroom instruction for general classroom and/or behind the wheel instruction, hereafter known as "Drive School."

16. ~~[7.]~~ "Student" defined. "Student" means a person who is referred *or enrolled in [to]* a licensed school by a court or other entity or person *or self* ~~[and registered with the school].~~

Sec. 2. NAC 483.590 is hereby amended to read as follows:

483.590 ~~[Prerequisites to operation of school; licensing of operators and instructors; transferability of license to another person; requirements for instruction by instructor trainee.]~~ *Drive, DUI and traffic safety schools, instructors and instructor trainees: Licensing required; investigation of applicant.*

1. A person *shall not engage in the activities of a drive, DUI or traffic safety* ~~[wishing to operate a]~~ school *in this state until a* ~~[must be]~~ license~~[d]~~ *to do so has been issued* by the department *to the applicant.*

~~[2. Except as otherwise provided in NAC 483.636, any course must be presented in a classroom and~~

~~consist of a program of instruction or training which complies with the provisions of this chapter.]~~

2. ~~[3. Except as otherwise provided in NAC 483.635, a]~~ A person shall not *engage in the activity of an instructor and/or instructor trainee* ~~[give instruction for compensation in a school unless he holds a valid]~~ *in this state until a license has been* ~~[to do so]~~ issued by the department *to the applicant.*

*(a) An instructor trainee may only instruct a course when a licensed instructor is present in the classroom.*

3. ~~[4.]~~ Any license issued pursuant to the provisions of this chapter is personal to the licensee and is not transferable to any person.

~~[5. If the operator of a school allows an instructor trainee to instruct a course, he must ensure that an instructor is present while the instructor trainee instructs the course.]~~

4. *An application for a drive, DUI and/or traffic safety school, instructor and/or instructor trainee license may be denied and license may be suspended or revoked upon the following grounds:*

*(a) Failure of the applicant to establish by proof satisfactory to the department that he employs a licensed instructor or is employed by a licensed school.*

*(b) Conviction of a felony.*

*(c) Conviction of a gross misdemeanor.*

*(d) Conviction of a misdemeanor for violation of any of the provisions of this chapter.*

*(e) Falsification of the application.*

*(f) Any reason determined by the director to be in the best interests of the public.*

**Sec. 3.** NAC 483.600 is hereby amended to read as follows:

483.600 Application for license ~~[to operate]~~ *for a drive, DUI or traffic safety* school or ~~[be]~~ instructor ~~[of course or for approval as]~~ *or* instructor trainee: Form; submission.

1. The application for:

(a) A license ~~[to operate]~~ *for* a school;

(b) A license ~~[to be]~~ *for* an instructor of a course; or

(c) ~~[Approval as]~~ *A license for* an instructor trainee,

must be completed on a form provided by the department and submitted to the Department of Motor Vehicles ~~[branch]~~.

2. Applications may be ~~[mailed]~~ *submitted in person to any of* the Department of Motor Vehicles ~~[and Public Safety, Motor Vehicles Branch]~~ *Field Services offices that provide full service or through the mail to the Department of Motor Vehicles, OL/BL Alternate Delivery, 555 Wright Way, Carson City, Nevada 89711* ~~[, Attention: Course Coordinator].~~

**Sec. 4.** NAC 483.610 Is hereby amended to read as follows:

483.610 Contents of application for license ~~[to operate]~~ *for a* school; requirements for facility ~~[, instructors and course]~~; availability of proof of licensing and records. *In addition to the requirement of NRS 483.710, an applicant for a license of a school must:*

1. *Submit an* ~~[The]~~ application ~~[for a license to operate a school must contain the following information:]~~ *on forms supplied by the department, completed in full.*

*(a) [The name, location and a description of the facility where the course will be taught:] A school that offers instruction through use of communications technology shall keep his records at his established place of business within this state.*

*(b) [A resume of each instructor's education, experience, certification as an instructor and fitness for the position;*

~~(e)~~ **Submit** a copy of detailed course outlines, course handouts and examination materials, including the final examination, and a list of audiovisual materials *which a representative of the department will evaluate to ensure that they are:* ~~[-and]~~

*(1) Adequate and provide accurate coverage of the subject matter.*

*(2) Relevant, current and understandable and consistent with the goals and objectives of the course.*

*(3) Effective and suitable in approach, delivery and methodology.*

*(c) Traffic safety schools must be consistent with the intent and purpose of NRS 483.475 and this chapter, specifically for the ability to reduce demerits on a person's driving record.*

**(d) Supply** the name and address of each person who has an ownership interest in the school or who is an officer of the school.

*(e) The application must be signed by an owner or principal of the school. A separate application must be submitted for each school or branch location.*

*(f) Submit a non-refundable license fee as required by NRS 483.780 for each location.*

*(g) Any other information the department may deem necessary for the licensing of a school.*

*(h) An applicant for a drive school with the activity of Behind-the-wheel must submit:*

*(1) A list of vehicles used by the school to include the year, make, model and vehicle identification number;*

*(2) A copy of the certificate of insurance that clearly identifies the vehicles insured, for each vehicle used for behind-the-wheel instruction.*

*(3) A copy of the current Nevada vehicle registration.*

*(4) Additional vehicles shall not be used until approved by the department.*

*(5) The days and hours of operation of the school.*

*(i) A school shall prohibit an instructor employed by the school from instructing at a school or branch location for which he is not licensed.*

*(j) A school may not move to a new location without first notifying and obtaining the approval of the department.*

*(k) If a location is closed, the owner must surrender the license within 10 calendar days from the date of closure.*

2. The proposed facility for the course must:

**(a) not consist only of a temporary address, mail drop or post office box.**

**(b) Not be housed within a:**

**(1) House trailer (*mobile home*) unless the facility has been inspected by the local fire or health inspector and approved to conduct classroom training;**

**(2) Hotel room;**

**(3) Private home unless licensed by its city or county business licensing agency; or**

**(4) Facility that dispenses any alcoholic beverage;**

**(5) rooming house;**

**(c) Provide for, in the building that the course is held, safe, easily accessible, complies with all state and local zoning, health, fire and safety codes and includes adequate:**

**(1) Ventilation;**

**(2) Heating and air conditioning;**

**(3) Lighting;**

**(4) Space per student and space for testing purposes;**

**(5) Fire exits;**

**(6) Restrooms;**

- (7) Facilities for the handicapped;
- (8) Desks, chairs and audiovisual aids; and
- (9) Accessibility to public parking areas or spaces;
- (d) Be located within this state;

~~—(e) [Comply with all state and local zoning, health and safety codes.~~

~~A representative of the department will evaluate the proposed facility to determine if the conditions of this subsection are met.]~~

*(1) If a course provided by a licensed school consists in whole or in part of classroom instruction, that part of the course which consists of classroom instruction may be taught interactively, through the use of communications technology so that person taking the course need not be physically present in a classroom and that includes testing and security measures that are at least as secure as the measures available in a usual classroom.*

*(a) Courses using communications technology must comply with law, rule and minimum standard requirements.*

*(2) An authorized representative of the department will periodically inspect the schools to determine whether the school is being operated in compliance with applicable laws and regulations, including the provisions of NRS 483.700 to 483.780, inclusive, and this chapter, inclusive.*

*(a) Owner(s) of a school, employees of a school shall cooperate with the authorized representative who is conducting the inspection and upon the request of the representative, shall provide all records, instructional materials, equipment and other items necessary to conduct the inspection.*

*(1) The department may suspended the license of the school if such person refuses to allow the representative to conduct the investigation.*

*(a) The records of the school, including, without limitation, the course evaluation forms completed by the students;*

*(b) All facilities used by the school;*

*(c) Training devices employed by the school;*

*(d) Instruction materials and methods used by the school;*

*(1) Adequately and accurately cover the subject matter;*

*(2) Relevant, current, understandable and consistent with goals and objectives of the course;*

*(3) Effective and suitable curriculum, approach, delivery and methodology; and*

*(e) DUI and traffic safety schools; consistent with the intent and purpose of NRS 483.475, 484.3792 and this chapter.*

*(f) Witten examinations, if applicable.*

~~3. [The qualifications of instructors must be approved before the course may be approved. A representative of the department may interview a prospective instructor to determine his knowledge, skills, abilities and fitness for teaching the course. The instructor 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; or~~

~~—(b) Present proof to the department that he:~~

~~— (1) Has successfully completed a course of instruction in the subject matter to be taught;~~  
~~— (2) Is certified as an instructor by the community college system or the department of education; or~~

~~— (3) Is certified by the bureau of alcohol and drug abuse,~~  
~~and must 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.]~~ *If an owner or operator does business at more than one address, he shall designate one address as his principal place of business. He shall designate all other business addresses not otherwise designated as a principal place of business pursuant to this section as branches. Each branch location must have the same name as the principal place of business.*

~~4. [In addition to meeting the qualifications of subsection 3, an applicant for licensure as an instructor of a course on the abuse of alcohol and controlled substances must 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.]~~ *A representative of the department may, if he considers it necessary:*

*(a) Request additional information from an applicant; and*

*(b) Request another state or local government agency to review an application to ensure the facility or business operation complies with all state, city and/or county codes and ordinances.*

*(c) Request another state or local government agency to review curriculum.*

~~5. [A representative of the department will evaluate the general course content, outline, handouts, audiovisual aids, examinations and other related material to ensure that they are:~~

~~— (a) Consistent with the intent and purpose of NRS 483.475 and this chapter.~~

~~— (b) Adequate and accurate coverage of the subject matter.~~

~~— (c) Relevant, current, understandable and consistent with goals and objectives of the course.~~

~~— (d) Effective and suitable in approach, delivery and methodology.]~~ *The owner of the school must:*

*(a) Provide office personnel, or provide a working and regularly monitored telephone answering service or machine.*

~~[6. Proof of the license to operate a school must be available to a representative of the department upon request.]~~

*(b) Be a licensed instructor or employ or contract a licensed instructor.*

~~[7. All records pertaining to the operation of a school must be maintained in the established place of business and made available for inspection by a representative of the department during normal business hours.]~~

*(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.*

*6. All records pertaining to the operation of a school must be maintained in the principal place of business and made available for inspection by a representative of the department during normal business hours.*

*7. When the department issues a license to a drive school, the activities will specify what the school is authorized to provide:*

*(a) General classroom instruction;*

*(b) Classroom instruction to a person who is under the age of 18 years to fulfill the requirements of NRS 483.250;*

- (c) *Behind-the-wheel training; or*
- (d) *Any combination of the activities listed above.*

Sec. 5 NAC 483.613 is hereby amended to read as follows:

NAC 483.613 Licens~~e~~~~ing a~~ ~~[to operate]~~ school: Qualifications of applicant; *background investigation, [revocation upon conviction of operator] Grounds for denial, suspension or revocation of license [for certain offenses].*

*1. An authorized representative of the department will evaluate the application and curriculum and inspect the classroom facility and qualifications of the instructors to determine whether to approve or deny a license application for a school.*

~~1. [An applicant who desires to operate a school must:]~~

*2. The department may deny the issuance of, suspend or revoke a license to engage in the activities of a drive, DUI or traffic safety school upon any of the following grounds:*

~~(a) [Either be a licensed instructor for a course, or employ or contract for the services of at least one person who is a licensed instructor; and]~~ *Failure of the applicant to have an established place of business in this state.*

~~(b) [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.]~~ *Conviction of a felony in the State of Nevada or any other state, territory or nation.*

*(c) Material misstatement in the application.*

*(d) Evidence of unfitness of the applicant or licensee.*

*(e) Willful failure to comply with any of the provisions of the motor vehicle laws of the State of Nevada or the directives of the director. For the purpose of this paragraph, failure to comply with the directives of the department within 10 days of receipt will be considered as wilful failure to comply with the directive.*

*(f) Drive schools; failure or refusal to furnish and keep in force any bond.*

*(1) Failure of the licensee to maintain any other license or bond required by any political subdivision of this state.*

*(g) Failure or refusal by a licensee to pay or otherwise discharge any final judgment against the licensee rendered and entered against him, arising out of the misrepresentation or out of any fraud committed in connection with the license.*

*(h) Allowing an un-licensed instructor or instructor trainee to conduct a class.*

~~2. [Upon conviction of an operator for any offense relating to alcohol or controlled substances, the department will revoke the license of that person to operate a school. The operator may not operate a school for 3 years after the license is revoked.]~~ *The director may deny the issuance of a license to an applicant or revoke a license already issued if the department is satisfied that the applicant or licensee is not entitled thereto.*

*3. An applicant for a drive school must submit:*

*(a) Two cards containing the applicant's fingerprints, which are taken by an authorized agent of the department or by a law enforcement agency;*

*(b) 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*

*(c) The fee for processing the cards; the fee must not exceed the sum of the amounts charged by the central repository for Nevada records of criminal history and the Federal Bureau of Investigation for processing the fingerprints.*

*4. Each natural applicant who applies for the issuance or renewal of a drive, DUI or traffic safety*

*school license shall submit to the department a statement prescribed by the welfare division of the department of human resources pursuant to NRS 425.500. The statement must be completed and signed by the applicant.*

*5. Within the 2 years immediately preceding the date an applicant submits his application to own or operate a school, the applicant must not have a conviction of:*

- (a) Two or more traffic offenses; or*
- (b) A gross misdemeanor;*

*6. Within the 5 years immediately preceding the date an applicant submits his application to own or operate a school, the applicant must not have been convicted of a felony; and*

*7. The applicant must never have been convicted of:*

- (a) An offense involving fraud, dishonesty or moral turpitude;*
- (b) A sexual offense as defined by NRS 179D.410; or*
- (c) A crime that the department determines is related to the operation of a school for training drivers.*

**Sec. 6** NAC 483.616 is hereby amended to read as follows:

NAC 483.616 ~~[Application for license as instructor; submission and contents of application; transferability of license as instructor to another school; issuance of license as instructor or letter of approval as instructor trainee; revocation of license.]~~ *Evaluation and inspection of classroom facility, curriculum, instructors of school; notification of approval or denial of application; of license for a school.*

~~1. Each applicant for licensure as an instructor must submit an application to the department. The application for a license must provide:~~

- ~~— (a) The applicant's:~~
  - ~~— (1) Name;~~
  - ~~— (2) Date of birth;~~
  - ~~— (3) Social security number or driver's license number; and~~
  - ~~— (4) Residential address.~~
- ~~— (b) The official name of the school at which the applicant will be an instructor;~~
- ~~— (c) A résumé of the applicant's education, experience, certification as an instructor and fitness for the position;~~
- ~~— (d) Any certificates which substantiate that the applicant meets the qualifications for licensure as an instructor pursuant to NAC 483.610; and~~
- ~~— (e) Any other information concerning the applicant which the department may consider necessary to determine whether the applicant is qualified for licensure.]~~

*Within 30 days after receipt of a complete application, the department will notify the applicant of the approval or denial of the application.*

~~2. An instructor may transfer his license to another school after notifying the department.]~~ *After approval and licensure, a school will be inspected annually or any other time deemed necessary. During each inspection, a representative of the department will reevaluate the curriculum, facility and instructors. The department may withdraw its approval of a school and suspend the license if determined after the inspection that the facility no longer meets the requirements..*

~~3. An instructor must submit a separate application and fee for licensure at each school he is employed by, or has contracted with, simultaneously.]~~ *The owner has a right to hearing in accordance with provisions in Nevada Revised Statute, Chapter 233B.*

~~4. The department will issue a:~~



- (a) License to an instructor; or
  - (b) Letter of approval to an instructor trainee,
- if it is satisfied that he has met the qualifications required by this chapter.

5. Upon conviction of an instructor for any offense relating to alcohol or controlled substances, the department will revoke the instructor's license. The instructor shall not teach a course for 3 years after the license is revoked.]

Sec. 7 NAC 483.618 is hereby amended to read as follows:

483.618 ~~[Instructor trainee: Application for letter of approval; instructor required to observe; expiration of letter of approval.]~~ *Restrictions on name of school, representations and advertising.*

1. ~~[An applicant for approval as an instructor trainee must submit an application to the department. The application for approval as an instructor trainee must provide:]~~ *No owner of a school for training drivers may publish, display or circulate any advertising which is misleading or inaccurate or misrepresents any of the services rendered to the public. The director of the department may request that such advertising be withdrawn from circulation. An owner of a school for training drivers shall not use in advertising or other publicity for the school:*

(a) ~~[The applicant's:~~

~~(1) Name;~~

~~(2) Date of birth;~~

~~(3) Residential address; and~~

~~(4) Social security number or driver's license number:]~~ *Any name other than the name in*

*which the license for the school is issued.*

(b) ~~[The official name of the school at which the applicant will be an instructor trainee:]~~ *Any name that would tend to mislead the public into believing the school is affiliated with the department or any of its division; or*

(c) ~~[A résumé of the applicant's education, experience and fitness for the position; and]~~ *The word "State" in any school name; or*

(d) ~~[Any other information concerning the applicant which the department may consider necessary to determine whether the applicant is qualified for approval.]~~ *A school may use the word "Licensed" in its advertising, but may not indicate that it is approved, sanctioned or endorsed in any manner by the department.*

2. ~~[The department will not charge a fee for the submittal of an application to the department for approval as an instructor trainee.]~~ *A school shall not imply in any way that it can:*

(a) *Issue or guarantee the issuance of a driver's license;*

(b) *Influence the department in the issuance of a driver's license; or*

(c) *Obtain preferential treatment for its students from the department.*

3. ~~[An instructor trainee shall not instruct a course unless an instructor is present while the instructor trainee instructs that course.~~

4. ~~[A letter of approval issued to an instructor trainee by the department is valid for 6 months.]~~ *An owner, agent, instructor, or employee of a school shall not personally solicit any person or business from the general public within any premises owned, rented or leased by the department.*

Chapter 483 of NAC is hereby amended by adding thereto the provisions set forth as sections 8 and 9 of this regulation:

**Sec. 8** *Deposit in Lieu of bond; Specifications; conditions for release; liability; refund;*

*deposit in the motor vehicle fund.*

*1. In lieu of a bond, an applicant may deposit with the department, under terms prescribed by the department:*

*(a) A like amount of lawful money of the United States or bonds of the United States or of the State of Nevada of an actual market value of not less than the amount fixed by the department; or*

*(b) A savings certificate of a bank, credit union or savings and loan association situated in Nevada, which must indicate an account of an amount equal to the amount of the bond which would otherwise be required by NRS 482.345 and that this amount is unavailable for withdrawal except upon order of the department. Interest earned on the amount accrues to the account of the applicant.*

*2. A deposit made pursuant to subsection 1 may be disbursed by the director, for good cause shown and after notice and opportunity for hearing, in an amount determined by him to compensate a person injured by an action of the licensee, or released upon receipt of:*

*(a) A court order requiring the director to release all or a specified portion of the deposit; or*

*(b) A statement signed by the person or persons under whose name the deposit is made and acknowledged before any person authorized to take acknowledgments in this state, requesting the director to release the deposit, or a specified portion thereof, and stating the purpose for which the release is requested.*

*3. When a deposit is made pursuant to subsection 1, liability under the deposit is in the amount prescribed by the department. If the amount of the deposit is reduced or there is an outstanding court judgment for which the licensee is liable under the deposit, the license is automatically suspended. The license must be reinstated if the licensee:*

*(a) Files an additional bond pursuant to subsection 1 of NRS 482.345;*

*(b) Restores the deposit with the department to the original amount required under this section; or*

*(c) Satisfies the outstanding judgment for which he is liable under the deposit.*

*4. A deposit made pursuant to subsection 1 may be refunded:*

*(a) By order of the director, 3 years after the date the licensee ceases to be licensed by the department, if the director is satisfied that there are no outstanding claims against the deposit; or*

*(b) By order of court, at any time within 3 years after the date the licensee ceases to be licensed by the department, upon evidence satisfactory to the court that there are no outstanding claims against the deposit.*

*5. Any money received by the department pursuant to subsection 1 must be deposited with the state treasurer for credit to the motor vehicle fund.*

**Sec. 9 Drive school: Place of business covered by bond. The drive school's bond required by NRS 483.7101 covers the drive school's principal place of business and all branches operated by him if all places of business :**

*1. Are located within one county; and*

*2. Are operated under the same name.*

*3. For any place of business located outside the county of the drive school's principal office, or any place of business operated under a different name, the drive school shall procure a separate bond.*

**Sec. 10 NAC 483.620 is hereby amended to read as follows:**

**483.620 ~~[Review of applications.]~~ Display of license to operate. The license to operate a school**

*issued to the owner of the school must be displayed in a conspicuous place visible to the public within each principal place of business and each branch office.*

1. ~~[A representative of the department appointed by the director will review all applications for:]~~ *The license issued by the department will display the name, physical address, license number and date of expiration.*

~~[(a) A license to operate a school;]~~ *The drive school license will display activities that the school is authorized to conduct.*

~~[(b) Licensure as an instructor; or~~

~~—(c) Approval as an instructor trainee.]~~

2. ~~The representative will approve or reject the application or request additional information within 30 days after the date on which the application is received.]~~

**Sec. 11** NAC 483.630 is hereby amended to read as follows:

483.630 ~~[Evaluation and inspection of curriculum, facility and instructors of school; notification of acceptance or rejection of application; withdrawal of approval of school.]~~ *Application for instructor license; submission and contents of application; examinations; transferability of license as instructor to another school; issuance of license for instructor; approval for instructor trainee; denial, suspension and revocation of license.*

1. ~~[An authorized representative of the department will evaluate and may inspect the curriculum, the facility and the qualifications of the instructors to determine whether to approve a school and license its operation. The representative may request a review of the application by another state agency if he considers it necessary.]~~ *Each applicant for licensure as an instructor must submit an application, on a form provided by the department. Applications may be submitted in person to any of the Department of Motor Vehicles Field Services offices that provide full service or through the mail to the Department of Motor Vehicles, OL/BL Alternate Delivery, 555 Wright Way, Carson City, Nevada 89711.*

2. ~~[The representative may request additional information concerning the application if the information is necessary to complete the evaluation]~~ *Submit an application on forms supplied by the department, completed in full.*

*(a) In addition to all other information required, an applicant for a drive school instructor license must also submit:*

*(1) Driver's license number; and*

*(2) Proof of valid driver's license issued by the State of Nevada.*

*(3) Prove to the satisfaction of the department that the applicant has earned a high school diploma or it's equivalent.*

*(a) An instructor who provides instruction solely to students for commercial driver licenses may submit proof of at least 5 years experience in the operation of commercial motor vehicles, within 7 years preceding his application, in lieu of a high school diploma.*

*(4) 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;*

*(5) Written permission authorizing the department to forward those fingerprints to the central repository for Nevada records of criminal history for submission to the Federal Bureau of Investigation for its report;*

*(6) The fee for processing the cards, the fee must not exceed the sum of the amounts charged by the central repository for Nevada records of criminal history and the Federal Bureau*

*of Investigations for processing fingerprints.*

*(7) Obtains a score of at least 80 percent on a practical demonstration of his driving ability over a prescribed course as established by the department in the type of vehicle for which he will be instructing.*

*(8) In addition to the requirements listed above, an applicant for a license as a drive school instructor is eligible to instruct a student in the behind-the-wheel training phase of a course in driver training if his driving record in any jurisdiction:*

*(a) Shows not more than two convictions for a moving traffic violation within the 24 months immediately preceding the date on which the applicant submitted his application;*

*(b) Has not had driver's license suspended or revoked within the 3 years immediately preceding the date on which the applicant submitted his application;*

*(c) Shows no convictions involving alcohol or controlled substances within the 3 years immediately preceding the date on which the applicant submitted his application; and*

*(d) Authorizes the applicant to operate a vehicle in the classification necessary for the type and class of vehicle in which he will be giving instruction; and*

*(e) Submits evidence that he has been a licensed driver for at least 5 years fore the type and class of vehicle in which he will be giving instruction.*

*3. ~~[The representative will notify each sponsoring organization of the acceptance or rejection of the application or of any portion of it.] Each applicant who applies for the issuance or renewal of a drive, DUI or traffic safety school instructor's license shall submit to the department a statement prescribed by the welfare division of the department of human resources pursuant to NRS 425.500. The statement must be completed and signed by the applicant.~~*

*4. ~~[After approval and licensure, a school may be inspected semiannually. During each inspection, a representative will reevaluate the curriculum, facility and instructors. The department may at any time withdraw its approval of a school and revoke or suspend the license to operate the school. The representative will give written notice within 30 days before officially withdrawing the department's approval. The applicant or approved school may appeal a rejection or a withdrawal of approval to the departmental hearing officer within 30 days after receiving notice of the decision.]~~*

*5. An applicant must also submit a resume of the applicant's education, experience, certification as an instructor and fitness for the position;*

*(a). Any certificates which substantiate that the qualifications necessary for the licensing of the applicant as an instructor have been met and;*

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

*6. An instructor must submit a separate application and fee for license at each school he is employed by, or has contracted with simultaneously.*

*7. The qualifications of instructors may be approved before the school is approved. A representative of the department may interview a prospective instructor to determine his knowledge, skills, abilities and fitness for teaching the course.*

*8. In addition to the requirements listed above, an application for an instructor' license to teach DUI and/or Traffic Safety must:*

*(a) Have education or experience in a field related directly to the subject matter in:*

*(1) Traffic safety;*

*(2) Law enforcement;*

*(3) Drivers' education or improvement; or*

*(4) Some other closely related field approved by the department; or*

*(b) Present proof to the department that he:*

*(1) Has successfully completed a course of instruction in the subject matter to be taught and must 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.*

*9. In addition to the requirements listed above, an application for an instructor to teach DUI courses, must 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.*

*10. In addition to the requirements listed above, an applicant for an instructor's license to teach Drive school course for the purpose of NRS 483.250 must:*

*(a) 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.*

*(1) An instructor in a drive school, training commercial vehicle operators and whose license is not to provide behind-the-wheel instruction for the purposes of NRS 483.250 may submit proof of other education and experience that is deemed acceptable by the department.*

*(b) At least once every 5 years, an instructors of the behind-the-wheel training phase of training for drivers shall submit to a driving examination administered by a representative of the department.*

*11. An instructor's license must be posted in a conspicuous place on the premises of the drive, DUI or traffic safety school for whom the instructor is licensed to teach.*

*12. The department will not issue a license to an applicant if the applicant does not meet the requirements of NRS 483.720 and this section.*

*13. An application for an instructor's license may be denied and an instructor's license may be suspended or revoked upon the following grounds:*

*(a) Failure of the applicant to establish by proof satisfactory to the department that he is employed by a licensed drive, DUI or traffic safety school.*

*(b) Conviction of a felony.*

*(c) Conviction of a gross misdemeanor.*

*(d) Conviction of a misdemeanor for violation of any of the provisions of this chapter.*

*(e) Falsification of the application.*

*(f) An offense involving fraud, dishonesty or moral turpitude;*

*(g) A sexual offense as defined by NRS 179D.410;*

*(h) A crime that the department determines is related to the position for which the applicant applies; or*

*(i) Any reason determined by the director to be in the best interest of the public.*

*14. The department may revoke the license to instruct of an instructor if he is convicted of any traffic offense involving alcohol or a controlled substance. An instructor whose driver's license is revoked pursuant to this subsection is not eligible to instruct students in the classroom instruction phase of training for drivers until 12 months after the date of reinstatement fo his driver's license or driving privilege. An instructor whose driver's license is revoked pursuant to this subsection is not eligible to instruct student for the behind the wheel training phase of training for drivers until 3 years after th date of reinstatement of this driver's license or driving privilege.*

*15. In addition to NRS 483.710 to 483.720, inclusive, the instructor who is instructing a behind-*

*the-wheel course, must be alert and in a physical and mental state that allows him to take physical control of a motor vehicle when necessary.*

*16. If an instructor ceases to be employed by a licensed drive, DUI or traffic safety school, his license to act as an instructor shall be terminated and his right to act as an instructor thereupon immediately ceases, and he shall not engage in the activity of an instructor until he has paid the department the license transfer fee and submitted a certificate of employment indicating he has been re-employed by a licensed drive, DUI or traffic safety school, and has thereafter shall present a current temporary license or an updated instructor's license to his employer.*

*17. The owner of a licensed drive, DUI or traffic safety school who employs a licensed instructor shall notify the department of the termination of his employment within 10 days following the date of termination by forwarding the instructor's license to the department.*

*(a) If instructors license has been in terminated status for 12 months or longer, he must reapply and satisfactorily meet all requirements for initial licensing.*

**Sec. 12** NAC 483.631 hereby repealed:

~~[NAC 483.631 Renewal of license; replacement of lost, mutilated or destroyed license.~~

~~1. An operator seeking to renew his license shall:~~

~~—(a) File an application for renewal with the department;~~

~~—(b) Pay the required fee; and~~

~~—(c) Provide evidence to the department that he continues to meet the requirements for issuance of a license pursuant to NAC 483.610 and 483.613.~~

~~2. An instructor seeking to renew his license shall:~~

~~—(a) File an application for renewal with the department;~~

~~—(b) Pay the required fee; and~~

~~—(c) Provide evidence to the department of his continued professional education, training or experience.]~~

~~[3. An operator or instructor required to be licensed pursuant to this chapter who fails to renew the license before it expires may not renew that license, but may reapply for an original license.~~

~~4. The department will not renew a license to operate a school if no courses have been presented in a classroom during the year immediately preceding the application for the renewal of the license.~~

~~5. A license which has been revoked or canceled may not be renewed for a period of 3 years after the date on which the revocation or cancellation became effective. A license that is suspended may not be renewed until it has been reinstated by the department. If a period of suspension or revocation extends beyond the expiration of the license, the license may not be renewed but the person may apply for a new license after the period of suspension or revocation has passed.~~

~~6. In case of the loss, mutilation or destruction of the license of an operator or instructor, the department will issue a duplicate upon submission of a properly signed and completed application for a duplicate license and an affidavit. The affidavit must show the date the license was lost, mutilated or destroyed and the circumstances involving the loss, mutilation or destruction.]~~

**Sec. 13** NAC 483.632 is hereby amended to read as follows:

483.632 Examination of licensed instructor.

**1.** The department may require an instructor licensed pursuant to this chapter to submit to a physical and mental examination as the department finds necessary to determine the applicant's fitness to instruct a course, if there is reason to believe that he does not have the ability to provide adequate instruction. If the instructor refuses or fails to submit to the physical and mental examination within

30 days after the date on which he was notified of the requirement, the department may, without a hearing, temporarily suspend his license until the instructor submits to the examination. The period of suspension commences 30 days after the date on which the suspension order was mailed.

*2. The department will establish an examination for the licensure of an applicant as a driving instructor which may consist of an actual demonstration or a written examination, or both. The actual demonstration must be sufficient in scope to determine if the applicant consistently complies with all traffic laws and consistently practices the safe operation of a motor vehicle. The written examination will cover:*

- (a) The traffic laws and procedures for licensing in this state;*
- (b) Practices of safe driving;*
- (c) The operation of a motor vehicle;*
- (d) Knowledge of teaching methods and techniques; and*
- (e) The laws and regulations which apply to a licensed school for training drivers.*

*3. An applicant who fails to pass the examination must wait at least 1 full day before he may take the examination again.*

*4. Re-examination of qualifications of licensee. The department may require a person who has a license to operate a school or as an instructor to submit to a re-examination of his qualifications if the department has reason to believe that the licensee does not have the qualifications required for licensure. If the licensee refuses to submit to re-examination, the department may suspend his license until he submits to re-examination.*

**Sec. 14** NAC 483.633 is hereby amended to read as follows:

483.633 ~~[Establishment of policies for school; meetings of classes.]~~ *Instructor trainee: Application for temporary license; submission and contents of application; instructor required to observe; expiration of temporary license.*

1. ~~[A school shall:]~~ *Each applicant for licenses as an instructor trainee must submit an application, on forms provided by the department, completed in full. Applications may be submitted in person to any full service Department of Motor Vehicles office or through the mail to Department of Motor Vehicles, OL/BL Alternate Delivery, 555 Wright Way, Carson City, Nevada 89711.*

~~(a) [Establish written statements of policy which an instructor may use to maintain order in a classroom;]~~ *A resume of the applicant's education, experience and fitness for the position; and*  
~~(b) [Establish a written policy that describes procedures for:~~  
~~(1) Visitors who may accompany a student to a class; and~~  
~~(2) Persons attending the class without a referral from a court or other entity; and]~~ *Any other information concerning the applicant which the department may consider necessary to determine whether the applicant is qualified for approval.*

~~[(c) Require a signed statement from a student acknowledging that he has been informed of the requirements set forth in NAC 483.640, 483.643 and 483.646.]~~

2. ~~[A class in an approved school for alcohol and controlled substance abuse must meet, excluding periods of rest:~~

- ~~—(a) For a total of 8 or more hours, including the time for:~~
  - ~~—(1) Instruction in the subjects of the course; and~~
  - ~~—(2) Administration of the preliminary and final examinations;~~
- ~~—(b) At least twice in successive weeks; and~~
- ~~—(c) For not more than 4 hours per session and not more than one session per day.~~

~~An hour must contain at least 50 minutes of instruction.] The department will not charge a fee for the temporary license of an instructor trainee.~~

~~4. A temporary instructor trainee license is valid for 6 months and maybe renewed for an additional 6 months.~~

**Sec. 15** NAC 483.634 is hereby repealed:

~~483.634 [Contents of courses; administration of examinations. (NRS 481.051, 483.760)~~

~~1. A course on traffic safety must include instruction in the following subjects:~~

- ~~—(a) The common sense of driving;~~
- ~~—(b) Use and maintenance of required safety equipment;~~
- ~~—(c) Defensive driving;~~
- ~~—(d) Established speed laws;~~
- ~~—(e) Proper use of lanes;~~
- ~~—(f) Backing up safely;~~
- ~~—(g) Intersection etiquette;~~
- ~~—(h) Passing;~~
- ~~—(i) The various demands of driving in the city, country or on the highway;~~
- ~~—(j) Hazardous conditions;~~
- ~~—(k) The effect of alcohol and controlled substances on the ability to drive;~~
- ~~—(l) Driver responsibility;~~
- ~~—(m) Traffic signs, signals and pavement markings;~~
- ~~—(n) Licensing control measures; and~~
- ~~—(o) Driving as a privilege rather than a right.~~

~~2. A course on the abuse of alcohol and controlled substances must include instruction in the following subjects:~~

- ~~—(a) The problem of driving under the influence of intoxicating liquor or controlled substances as it exists in this state and the United States, including relevant statistics;~~
- ~~—(b) The law against driving under the influence of intoxicating liquor or controlled substances in this state, including penalties, the specific prohibition against driving with a concentration of alcohol of 0.10 gram or more of alcohol per 100 milliliters of the blood of a person or per 210 liters of his breath, implied consent to a test of a driver's breath, blood or urine, summary revocation of drivers' licenses and related matters;~~
- ~~—(c) The responsibilities and procedures of law enforcement agencies, the courts and the department regarding driving under the influence of intoxicating liquor or controlled substances;~~
- ~~—(d) The adverse effects of alcohol and controlled substances on bodily organs and the central nervous system, including the effects of abuse and addiction;~~
- ~~—(e) The adverse effects of alcohol and controlled substances on a person's ability to drive;~~
- ~~—(f) The possible effects of a conviction for driving under the influence of intoxicating liquor or controlled substances on a person's employment and personal life; and~~
- ~~—(g) The types of treatment which are available for abusers of alcohol and controlled substances.~~

~~3. The time of instruction in a course on the abuse of alcohol and controlled substances must include subjects relating to:~~

- ~~—(a) The abuse of alcohol and controlled substances; and~~
- ~~—(b) Traffic safety and traffic laws which are primarily applicable to driving under the influence of intoxicating liquor or controlled substances.~~

~~4. The instructor of a course on the abuse of alcohol and controlled substances:~~



~~—(a) May administer a preliminary written examination at the first meeting of the class to determine the knowledge of each student regarding driving under the influence of intoxicating liquor or controlled substances and the abuse of alcohol, controlled substances and other chemicals; and~~  
~~—(b) Shall administer a final written or oral examination, at least half of which is directly related to driving under the influence of intoxicating liquor or controlled substances.]~~

**Sec. 16** NAC 483.635 is hereby amended to read as follows:

483.635 ~~[Approval of materials for course; use of audio and visual aids; presentations by guest speakers.]~~ ***Notification and approval of certain changes concerning school; course schedules;***

1. ~~[All materials for a course, including the syllabus, materials to be used by students and any examinations, must be submitted to the department for approval before their use in any class or for a correspondence course. All materials for a course, whether written or audio or visual, must relate directly to the syllabus of the course.]~~

***1. All changes must be reported within 10 days prior to the effective date, approval of all changes required before implementing.***

***2. An owner of a school must apply on a form provided by the department for approval of any proposed:***

***(a) Change in the physical and/or mailing address of the principal and/or branch location of the school;***

***(b) An addition or deletion of any branch location of the school;***

***(c) The addition or deletion of any owner of the business;***

***(1) Changes in ownership may require the new owner to apply for a new license.***

2. ~~[An instructor of a course may use:]~~ ***The school must notify the department in writing of any change in the curriculum, schedule of classes or location of the school at least 30 days before the day on which the proposed addition or change is to become effective.***

***(a) [Audio and visual aids in the course but only to enhance his lectures and for not more than one third of the total length of the course; and] If an operator is applying for approval of a change in the curriculum, he must describe the reason for the change and estimate its effect on the students.***

~~***(b) Motion pictures and printed materials if they relate directly to the curriculum.]***~~

3. ~~[The operator of a school shall obtain the prior written approval of the department before allowing a speaker who is a guest to present any part of the course. A presentation by an approved speaker who is a guest may be no more than one half of any session of a class and no more than 1 1/2 hours of the total length of the course. A guest speaker need not be licensed as an instructor by the department.]~~

4. ~~[An applicant for approval of a guest as a speaker for a course must:~~

~~—(a) Apply for and obtain written approval from the department; and~~

~~—(b) Provide the school with a written statement signed by the speaker acknowledging that he agrees to comply with the provisions of this chapter.]~~ ***An owner shall submit to the department a written schedule of each course which is offered at the school at least 1 week before the course begins. The schedule must include the date, time and location of the course.***

***(a) A school shall notify the department of any cancellation of a course at least 24 hours before the class begins.***

***5. Drive schools licensed to provide behind-the-wheel training shall notify the department when there is an addition of any motor vehicles used for instruction and provide a copy of the certificate of insurance prior to using the vehicle for training.***

*(a) The deletion of a motor vehicle must be reported.*

*6. The department may require each owner licensed pursuant to the provisions of NRS 483.710 and this chapter to provide to the department any additional information which the department considers necessary in carrying out the provisions of this chapter.*

**Sec. 17** NAC 483.636 is hereby amended to read as follows:

483.636 ~~[Provision of course by correspondence.]~~ *Transfer of license prohibited; limitations on use of license; instruction at multiple schools; issuance of duplicate license.*

1. ~~[A school may offer a correspondence course only if the school is approved for teaching the course in the classroom by the department.]~~ *A license to operate a school is not transferable.*
2. ~~[A course given by correspondence must have the same content as the course given in the classroom and must entail at least 8 hours of study for its completion by an average student.]~~ *A licensed instructor who will be instructing at more than one school must apply to the department and pay the required license fee for each school in which he will instruct.*
3. ~~[The operator of an approved school shall not allow a student to enroll in or receive credit for passing a correspondence course unless:~~
  - ~~—(a) A course taught in the classroom is not available within 30 miles of the student's residence;~~
  - ~~—(b) The student is confined or disabled; or~~
  - ~~—(c) The court orders a student to enroll in an approved correspondence course.~~
4. ~~The operator of a school must submit a report to the department whenever a student enrolls in a correspondence course. The report must include the name of the student, his social security number, his date of birth, his place of residence and the name of the entity which referred him to the school.~~
5. ~~Each student enrolled in a correspondence course must take a final examination and sign a notarized statement, under penalty of perjury, that he took the examination. The examination and the signed statement must be maintained in the school's file for the student and be made available for inspection by the department.]~~ *If a duplicate license is needed, the request must be submitted in writing to the department, via mail or in person. There is no charge for the duplicate license.*

**Sec. 18** NAC 483.640 is hereby amended to read as follows:

483.640 ~~[Students: Enrollment; eligibility for cancellation of demerit points; evaluation of course.]~~ *Renewal of a license for a drive, DUI or traffica safety school.*

1. ~~[Classes must not have more students enrolled than are reasonable for proper classroom instruction.]~~ *To renew a license for a school, the licensee must submit:*
  - (a) The renewal application provided by the department, completed in full;*
  - (b) the non-refundable fee as required in NRS 483.780;*
  - (c) Each natural applicant who applies for the issuance or renewal of a drive, DUI or traffic safety school license shall submit to the department a statement prescribed by the welfare division of the department of human resources pursuant to NRS 425.500. The statement must be completed and signed by the applicant.*
2. ~~[Each student who enrolls in an approved school for traffic safety must enroll for a minimum of:~~
  - ~~—(a) Five hours of classroom instruction when there are not more than two traffic violations within 1 year; or~~
  - ~~—(b) Eight hours of classroom instruction when there are three or more traffic violations within 1 year.]~~ *The department will not renew a license for a school if no course has been presented during the year immediately preceding the application for the renewal of the license.*
3. ~~[Students must attend all of the classes and successfully complete the final examination, if one is~~

~~administered, to be eligible to receive the cancellation of three demerit points.] A drive school that provides behind-the-wheel training must submit:~~

~~(a) A current list of vehicles, the list must include year, make, model and vehicle identification number ; and~~

~~(b) Copies of current Nevada vehicle registration(s) and certificate(s) of insurance.~~

~~4. [All students must complete evaluations of the course on a form approved by the department. The evaluations must be retained by the school for 3 years and made available for inspection by a representative of the department during the semiannual monitoring process.] A current list of days and hours of operation of the school, including the office hours.~~

~~5. The school's license status must be active in order to renew. A suspended license must be reinstated before the license may be renewed.~~

~~6. The department will accept an application of renewal up to 30 days after the expiration of the license.~~

~~(a) If a license is expired for 31 days or more and the owner wishes to continue to do business as a school, an original application and fees must be submitted.~~

~~7. The department will not renew a license if a licensee fails to comply with the provisions of NRS 483.700 to 483.780, inclusive or of this chapter, inclusive.~~

~~8. The department may require each owner licensed pursuant to the provisions of NRS 483.710 and this chapter to provide to the department any additional information which the department considers necessary in carrying out the provisions of this chapter.~~

**Sec. 19** NAC 483.643 is hereby amended to read as follows:

483.643 ~~[Students: Attendance.]~~ *Renewal of a license as an instructor.*

~~1. [The instructor of a course shall record the attendance of students at each meeting of the class and maintain a record of attendance in the file for each student, which must be made available for inspection by the department.] To renew a license as an instructor, the licensee must submit:~~

~~(a) The renewal application provided by the department, completed in full;~~

~~(b) a non-refundable fee as required in NRS 483.780;~~

~~(c) a statement prescribed by the welfare division of the department of human resources pursuant to NRS 425.500 for each natural applicant who applies for the issuance or renewal of a drive, DUI or traffic safety school instructor's license. The statement must be completed and signed by the applicant; and~~

~~(d) Evidence to the department of his continued professional education, training or experience.~~

~~2. [A student may:~~

~~—(a) Be considered absent if late for a class and be reassigned to another class or course;~~

~~—(b) Leave the class only during designated periods of rest, except in an emergency;~~

~~—(c) Not arrive late or leave early from a class;~~

~~—(d) Be excluded or expelled from any class by an instructor for disruptive behavior and not receive credit for attendance at that class; and~~

~~—(e) Be admitted to another course, with such conditions of re-enrollment, attendance and additional costs as may be determined by the school.] Drive instructors licensed to provide classroom instruction for the purpose of NRS 483.250 must provide proof in the form of a school transcript or other documentation which verifies:~~

~~(1) 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 which pertains to the development of skills related to driving or providing instruction, within the 5 years immediately preceding the date on which the application for renewal is submitted; or*

*(2) At least 40 hours of other instruction, training or seminars which pertain to the development of skills related to driving or providing instruction in driving, within the 5 years immediately preceding the date on which the application for renewal is submitted.*

*(3) Drive instructor for behind-the-wheel and/or classroom instruction with commercial vehicle operators must submit evidence with the renewal application in the form of a school transcript or other documentation which verifies:*

*(a) Completion of at least 18 hours of education or training that relates to driving skills or to providing instruction; or*

*(b) At least 1 year of experience providing similar instruction that is deemed acceptable by the department for the purpose of renewing the instructor's license.*

~~3. [Additionally, a student enrolled in a course on the abuse of alcohol and controlled substances: —(a) Shall complete the course within the time ordered by the court and attend all classes in a course;~~

~~—(b) Must be reassigned to a subsequent session upon any failure to complete a session within a course; and~~

~~—(c) Must be excluded without credit for attendance in any class if, in the instructor's best judgment, the student is, during a class, impaired as a result of the use of alcohol, a controlled substance or other chemical.] A licensee shall, during each 5 year period after the initial issuance of his license, pass a written examination administered by the department.~~

**Sec. 20** NAC 483.646 is hereby repealed.

~~483.646 Students: Prerequisites to receipt of credit for course; retaking of final examination.~~

~~1. To receive credit for completing a course, a student must:~~

~~—(a) Attend all the meetings of the class;~~

~~—(b) Take the preliminary examination, if one is administered;~~

~~—(c) Pass the final written or oral examination with a score of at least 70 percent; and~~

~~—(d) Complete an evaluation of the course and the teacher.~~

~~2. A student who fails to pass the final examination must wait for at least 4 hours before he may retake the examination.]~~

**Sec. 21** NAC 483.650 is hereby repealed:

~~[483.650 Submission of reports regarding students; deletion or crediting of demerit points; retention and availability of records:~~

~~1. After a course is completed, the school shall submit the following information to the course coordinator concerning each student who enrolled in a course of traffic safety on a form approved by the department:~~

~~—(a) Name;~~

~~—(b) Address;~~

~~—(c) Social security number;~~

~~—(d) Driver's license number, if different from the social security number;~~

~~—(e) Date of birth;~~

~~—(f) Course;~~

~~—(g) The date on which the student completed the course;~~

- ~~—(h) Test score;~~
  - ~~—(i) School number;~~
  - ~~—(j) Whether the student had any traffic violations pending at any time during his enrollment in the course;~~
  - ~~—(k) Whether the student's enrollment in the course was in conjunction with any type of plea agreement or a condition of sentencing;~~
  - ~~—(l) Information concerning previous courses the student has enrolled in and completed within the 12-month period immediately preceding the student's enrollment in this course, including the name and location of the schools attended and the dates of enrollment and completion; and~~
  - ~~—(m) The instructor's printed name and signature.~~
- ~~2. The form must be mailed to the Department of Motor Vehicles and Public Safety, Motor Vehicles Branch, 555 Wright Way, Carson City, Nevada 89711, Attention: Course Coordinator.~~
- ~~3. Except as otherwise provided in subsection 4, upon receipt of the form by the department, three demerit points will be deleted from, credited to or not credited to the driver's demerit record pursuant to NRS 483.475 and NAC 483.580 to 483.660, inclusive.~~
- ~~4. The department may, in its discretion, decide that no demerit points may be deleted from or not credited to the driver's demerit record if the student's enrollment was in conjunction with a plea agreement or was a condition of sentencing.~~
- ~~5. A person is not eligible for the deletion of demerit points and may not otherwise receive credit for completing a traffic safety course more than once in any 12-month period.~~
- ~~6. The operator of a school shall submit a written report to the referring court for each student enrolled in a course on the abuse of alcohol and controlled substances. The report must include:~~
- ~~—(a) The name and department of the court having jurisdiction of the student;~~
  - ~~—(b) Whether the student successfully completed the course within the time ordered by the court; and~~
  - ~~—(c) Any additional information required by order of the court.~~
- ~~7. The operator of a school shall retain:~~
- ~~—(a) A copy of the reports and forms required pursuant to this section for each student;~~
  - ~~—(b) Each student's preliminary examination, if one is administered, and final examination, or the score on those examinations if administered orally;~~
  - ~~—(c) Each student's record of attendance in class;~~
  - ~~—(d) Each student's evaluation of the course and teacher; and~~
  - ~~—(e) The agreement signed by any speaker who is a guest pursuant to NAC 483.635, for 3 years after the date on which the final class was held for the course to which it pertains.~~
- ~~8. The documents which must be retained pursuant to subsection 6 are not public records but must be made available to a representative of the department or judicial system during any inspection of the school.~~
- ~~9. The operator of a school shall submit to the department a written report that includes the:~~
- ~~—(a) Name;~~
  - ~~—(b) Address; and~~
  - ~~—(c) Driver's license number or social security number,~~
- ~~of each student who is enrolled in a course on the abuse of alcohol and controlled substances. The report must be submitted by the 10th day of the month immediately following the month in which the student is enrolled.]~~

**Sec. 22** NAC 483.652 is hereby amended to read as follows:

483.652 ~~[Restrictions on name of school, representations and advertising.]~~ *Vehicles used for behind-the-wheel courses: Inspection; requirements.*

1. ~~[A school shall not use:~~
  - ~~—(a) Any name other than its licensed name for advertising or publicity purposes;~~
  - ~~—(b) The word state in any school name; or~~
  - ~~—(c) Any name that would tend to mislead the public into believing the school is affiliated with the department or any of its divisions.]~~ *An authorized representative of the Department of Motor Vehicles or Department of Public Safety, who is certified to inspect commercial motor vehicles, will, at least semiannually, visually inspect each vehicle used for behind-the-wheel courses to ensure that the vehicle is in good operating condition.*
2. ~~[A school shall not imply in any way that it can.]~~ *Each vehicle that is not a commercial motor vehicle pursuant to NAC 483.802 and is used by a school for behind-the-wheel courses must be maintained in a clean and safe operating condition at all times and have at least the following equipment:*
  - (a) ~~[Issue or guarantee the issuance of a driver's license;]~~ *If the vehicle is equipped with an automatic transmission, a dual braking device which enables an instructor in the front passenger seat to bring the vehicle under control in an emergency;*
  - (b) ~~[Influence the department in the issuance of a driver's license; or]~~ *If the vehicle is equipped with a standard transmission, a dual clutch device and braking device which enables an instructor in the front passenger seat to bring the car under control in an emergency;*
  - (c) ~~[Obtain preferential treatment for its students from the department.]~~ *A separate mirror which enables the instructor to view traffic behind the vehicle; and*
  - (d) *A safety belt for the driver and each passenger of the vehicle.*
3. ~~[A school which is licensed by the department may use the word "licensed" in its advertising, but may not indicate that it is approved, sanctioned or endorsed in any manner by the department.]~~ *If a school licensed to provide of behind-the-wheel training purchases or leases a motor vehicle for the course, an authorized representative of the department will inspect the vehicle:*
  - (a) *Within 30 days after the purchase or lease; or*
  - (b) *At the discretion of the department, during the semiannual inspection conducted pursuant to subsection 1.*
4. *Each vehicle which is a commercial motor vehicle pursuant to NAC 483.802 and is used by a school for behind-the-wheel courses must meet all the requirements of the Federal Motor Carrier Safety Regulations as set forth in 49 C.F.R. §§ 390 et seq.*
5. *While being used for a behind-the-wheel course on a public road, a vehicle must display conspicuously a sign which states "Student Driver" or the name of the school. The sign must:*
  - (a) *Be securely mounted on a vehicle;*
  - (b) *Not be constructed of paper; and*
  - (c) *Have a background and letters of contrasting colors and be visible at least 100 feet from both the front and rear of the vehicle while operating in traffic.*

Sec. 23 NAC 483.654 is hereby amended to read as follows:

483.654 ~~[Operation of branch office of school.]~~ *Notice of results of periodic evaluation and inspections of school, instructors and vehicles.*

1. ~~[An owner or operator of a school seeking to operate a branch office of the school must first apply to the department for approval. If the application for a branch office is approved, the department will issue a copy of the license of the school's principal place of business, properly endorsed, for use in~~

~~the branch office. This copy must be maintained in the established place of business of the branch office and be available for inspection by a representative of the department during normal business hours.]~~ *Within 30 days after an inspection, the department will provide to the school a written report of the inspection, which will indicate whether the school is in compliance with all applicable laws and regulations or describe any deficiency which requires correction.*

2. ~~[A branch office may not be moved to a new location without first notifying and obtaining the approval of the department.]~~ *The department shall provide written notice to the operator of a school of its intent to suspend or revoke the license of the school if the school fails to correct the deficiencies within a reasonable time after notification by the department.*

3. ~~[If a branch office is closed, the operator must immediately surrender the copy of the license issued pursuant to subsection 1 to the department.]~~

4. ~~A branch office must meet all of the requirements of this chapter applicable to the school's principal place of business, and must perform substantially the same services as are performed by the school at the principal place of business.]~~ *The owner of the school may appeal, in writing, the finding of the inspector to a hearing officer of the department within 30 days after receiving the department's notice of its intent to suspend or revoke the license. The hearing must be held in compliance with the provisions of NAC Chapter 481 and NRS 233B.*

**Sec. 24** NAC 483.656 is hereby amended to read as follows:

483.656 ~~[Notification and approval of certain changes concerning school; operator required to submit schedule for courses to department.]~~ *Grounds for denial, suspension or revocation of a license. The department may suspend, revoke or refuse to license an application for a school or instructor if:*

1. ~~[An operator of a school must apply in writing to the department for approval of any proposed:~~

~~—(a) Addition of teachers before instruction begins; or~~  
~~—(b) Change in the curriculum, schedule of classes or location of the school,~~

~~at least 30 days before the day on which the proposed addition or change is to become effective.]~~ *The applicant has been or was previously issued a license by the department as a school or instructor, which has been denied, suspended or revoked;*

2. ~~[If an operator is applying for approval of a change in the curriculum, he must describe the reason for the change and estimate its effect on the students.]~~ *The applicant has committed an act which would be grounds for the suspension or revocation of a license as previously described in this chapter;*

3. ~~[An operator of a school shall notify the department in writing within 10 days after the termination of employment of a teacher.]~~ *The applicant has knowingly made a false statement or concealed a material fact in applying for the license;*

4. ~~[An operator of a school may be given temporary approval to change a teacher or the curriculum upon oral request to the department but must comply with the provisions of this section as soon as is reasonably practicable thereafter.]~~ *In the case of an application for a license to operate a school, the name proposed for the school violates the restrictions on names or could be confusing or misleading to the general public;*

5. ~~[An operator shall notify the department within 10 days of any:~~

~~—(a) Change in the ownership or corporate structure of the school;~~  
~~—(b) Change of the location of the school's principal place of business or branch office;~~  
~~—(c) Addition or deletion of a branch office of the school; and~~

~~—(d) Change of the residential address of the operator.]~~ *Fails to apply for approval from the*

*department of any changes in location, curriculum, instructors or the pertinent factors relating to the school at least 30 days before the proposed changes are implemented;*

6. ~~[An operator of a school shall submit to the department a written schedule of each course which is offered at the school at least 1 week before the course begins. The schedule must include the date, time and location of the course.]~~ *Failed to provide the department with a current schedule of classes and instructors at least once per month.*
7. ~~[An operator of a school shall notify the department of any cancellation of a course at least 24 hours before the canceled course is scheduled to begin.]~~ *The applicant has been convicted of:*
  - (a) *A felony;*
  - (b) *Gross misdemeanor;*
  - (c) *An offense involving fraud, dishonesty or moral turpitude;*
  - (d) *A sexual offense as defined by NRS 179D.410;*
  - (e) *A crime that the department determines is related to the position for which the applicant applies;*
  - (f) *Conviction of a misdemeanor for violation of any of the provisions of this chapter;*
  - (g) *Falsification of the application; or*
  - (h) *Any reason determined by the director to be in the best interest of the public.*
8. *The licensee fails to comply with the provisions of NRS 483.700 to 483.780, inclusive, or this chapter, inclusive.*

**Sec. 25** NAC 483.658 is hereby amended to read as follows:

483.658 ~~[Periodic evaluation and inspection of school; correction of deficiencies.]~~ *Opportunity for a hearing.*

1. ~~[A representative of the department will periodically evaluate the general course content, syllabus, handouts, audiovisual aids, examinations and other course materials to ensure that they are:  
—(a) Consistent with the intent and purpose of NRS 483.475, 484.3792 and this chapter;  
—(b) Adequate and accurately cover the subject matter;  
—(c) Relevant, current, understandable and consistent with goals and objectives of the course; and  
—(d) Effective and suitable in approach, delivery and methodology.]~~ *The applicant for a license as an owner or instructor may, within 30 days after the receipt of a notice of suspension or revocation of a license, may petition the department in writing for a hearing.*
2. ~~[A representative of the department will periodically inspect each school to determine whether it is being operated in compliance with the provisions of NAC 483.580 to 483.660, inclusive.]~~ *Upon filing the petition, a date for the hearing must be in accordance with NRS 233B.*
3. ~~The department will provide a written report to the school within 30 days after an inspection. The report must:~~
  - (a) ~~Indicate compliance; or~~
  - (b) ~~Describe each deficiency and require the school to correct each deficiency.~~
4. ~~The department will give the operator of a school written notice of its intent to suspend or revoke the license of the school upon failure of the operator to correct the deficiencies.~~
5. ~~The operator of the school may appeal in writing from the finding of the inspector to a hearing officer of the department within 30 days after receiving the department's notice of its intent to suspend or revoke the license. The hearing must be held in compliance with the provisions of chapter 481 of NAC.]~~

**Sec. 26** NAC 483.660 is hereby amended to read as follows:



~~483.660 [Disciplinary action. The department may suspend, revoke or refuse to renew a license to operate a school for traffic safety or to be an instructor, or disallow a cancellation of three demerit points if the school fails to:] *Suspension of license; reinstatement.*~~

~~1. [Request approval from the department in writing of any proposed changes in location, curriculum, instructors or other pertinent factors relating to the school at least 30 days before the proposed changes are carried out:] *If the license of a school or an instructor has been suspended, the license must be surrendered to the department.*~~

~~2. [Provide the department at least once per month with a current schedule of its classes and instructors; or] *If the driver's license of a licensed instructor for a drive school licensed for behind-the-wheel training has been suspended or revoked for any cause, the department may suspend or revoke the instructor's license.*~~

~~(a) *The licensee may not reapply for a license as an instructor for behind-the-wheel training within 3 years after the date of the reinstatement of his driver's license or driving privilege.*~~

~~[3. Comply with the provisions of NAC 483.580 to 483.660, inclusive.]~~

Sec. 27 NAC 483.\_\_\_\_ is hereby repealed.

~~[SCHOOLS FOR TRAINING DRIVERS  
General Provisions]~~

Sec. 28 NAC 483.710 is hereby amended to read as follows:

~~483.710 [Definitions. (NRS 481.051, 483.760) As used in NAC 483.710 to 483.795, inclusive, unless the context otherwise requires, the words and terms defined in NAC 483.712 to 483.740, inclusive, have the meanings ascribed to them in those sections.] *Establishment of policies for a school; meetings of classes.*~~

~~1. A school shall:~~

~~(a) *Establish written statements of policy which an instructor may use to maintain order in a classroom;*~~

~~(b) *Establish a written policy that describes procedures for:*~~

~~(1) *Visitors who may accompany a student to a class*~~

~~(2) *Persons attending the class without a referral from a court or other entity.*~~

~~2. *If the school is a DUI or traffic safety school; the school shall require a signed statement from a student acknowledging that he has been informed of the requirements set forth in this chapter.*~~

~~3. *DUI courses must meet, excluding periods of rest:*~~

~~(a) *For a total of 8 or more hours, including the time for:*~~

~~(1) *Instruction in the subjects of the course; and*~~

~~(2) *Administration of the preliminary and final examinations;*~~

~~(b) *At least twice in successive weeks; and*~~

~~(c) *For not more than 4 hours per session and not more than one session per day.*~~

~~*An hour must contain at least 50 minutes of instruction.*~~

Sec. 29 NAC 483.712 is hereby amended to read as follows:

~~483.712 [*"Behind the wheel training" defined. (NRS 481.051, 483.760) "Behind the wheel training" means the portion of a course of training provided by a school for training drivers which is taught through the operation of a motor vehicle under real conditions and which is characterized by a student driving on a driving range, on the street, or both, while under the direction of a licensed instructor.*]~~

~~Records; evaluation by student of training provided. (NRS 481.051, 483.760)]~~ *Records; evaluations by students of training received.*

*1. A school shall keep his books and records for all locations at which he does business within a county at his principal place of business.*

*(a) Each school shall:*

*(1) Permit any authorized representative of the department to inspect and copy the books and records during usual business hours; or*

*(2) Not later than 3 business days after receiving a request from such an authorized representative for the production of the books and records or any other information, provide the requested books, records and other information to the authorized representative at the location specified in the request.*

*(c) A school shall retain his books and records for 3 years, including after he ceases to be licensed as a school.*

*2. A school shall require each student enrolled in the school to complete an evaluation of the training provided by the school on a form approved by the department.*

*3. Each operator of a school shall keep a record for each student of the school which includes:*

*(a) The name, address and license number of the school;*

*(b) The name and address of the student;*

*(c) The record of attendance of the student at each training session;*

*(d) The instruction permit number or driver's license number of the student;*

*(e) The name and license number of each instructor of each training session attended by the student;*

*(f) A description of the type of instruction given and the amount of time devoted to each type of instruction;*

*(g) The date on which each type of instruction was given;*

*(h) The total number of hours of instruction; and*

*(i) The evaluation form completed by the student or a notation on the record indicating the reason why the student did not complete the evaluation form.*

*4. Classes must not have more students than allowed by the occupancy rating for that classroom.*

**Sec. 30** NAC 483.713 is hereby amended to read as follows:

~~483.713 [“Central repository” defined. (NRS 481.051, 483.760) “Central repository” means the central repository for Nevada records of criminal history.]~~ *Students: Attendance.*

*1. Each student that is enrolled in a traffic safety school must attend a minimum of:*

*(a) Five hours of classroom instruction if he has not been convicted of more than two traffic violations within 1 year; or*

*(b) Eight hours of classroom instruction if he has not been convicted of three or more traffic violations within 1 year.*

*2. A student may:*

*(a) Not arrive late or leave early from a class;*

*(b) be considered absent if late for a class and be reassigned to another class or course;*

*(c) Leave the class only during designated periods of rest, except in an emergency;*

*(d) Be excluded or expelled from any class by an instructor for disruptive behavior and not receive credit for attendance at that class; and*

*(e) Be admitted to another course, with such conditions of enrollment, attendance and additional costs as may be determined by the school.*

**3. Additionally, a student enrolled in a course for DUI:**

**(a) Shall complete the course within the time ordered by the court and attend all classes in the course to receive credit;**

**(b) Must be reassigned to a subsequent session upon any failure to complete a session within a course; and**

**(c) Must be excluded without credit for attendance in any class if, in the instructor's best judgment, the student is, during a class, impaired as a result of the use of alcohol, a controlled substance or other chemical.**

**Sec. 31** NAC 483.714 is hereby amended to read as follows:

~~483.714 [“Classroom instruction” defined. (NRS 481.051, 483.760) “Classroom instruction” means the portion of a course of training provided by a school for training drivers that is taught in a classroom environment by a licensed instructor.]~~ **Drive school, completion of course: Certain documents accepted as proof; credit for completion for and issuance of certificate of completion to person under 18 years of age; maintenance of records by school.**

**1. The department may accept the following as proof of successful completion of a course in automobile driver education offered by a public or private college, university or high school located in the United States that is subject to regulation by its respective state educational agency or governing board:**

**(a) A written statement which indicates that the student has successfully completed a course in automobile driver education which includes the:**

**(1) Name of the student;**

**(2) Date of birth of the student; and**

**(3) Signature of the registrar or other member of the administrative staff of the school;**

**(b) A school transcript; or**

**(c) Any other form acceptable to the department.**

**2. The department may accept a certificate of completion on a form approved by the department as proof of successful completion of a course in automobile driver education that is offered by a school for training drivers which is licensed or approved by the department and which includes the:**

**(a) Official name of the school;**

**(b) School's license number issued by the department;**

**(c) Name of the student;**

**(d) Date of birth of the student;**

**(e) Date that the course was completed;**

**(f) Amount and type of training that was completed; and**

**(g) Name and signature of the instructor who provided the training.**

**3. For a person under the age of 18 years to receive credit for completion of classroom instruction of a course in automobile driver education the student must attend every session.**

**(a) If a student is absent, the absence must be marked on the attendance record and the student must make up the session that is missed.**

**4. A school for training drivers may issue a certificate of completion to a person under the age of 18 years only if the person:**

**(a) Completes the classroom course required pursuant to subparagraph (2) of paragraph (d) of subsection 1 of NRS 483.250; and**

**(b) Receives a minimum passing score of 70 percent on his final examination.**

5. *A drive school that provides training to students as described in this section shall retain a copy or transcript of the record of each student under the age of 18 years for 3 years after the date of the completion of the course as evidence of the total hours of training he has received.*
6. *A person under the age of 18 years who applies for a driver's license or permit and who presents a court document showing that he has been legally emancipated must submit proof of completion of a course in automobile driver education, but he may sign for himself, attesting that he has completed the training and experience required by subparagraph (2) of paragraph (d) of subsection 1 of NRS 483.250.*

**Sec. 32** NAC 483.715 is hereby amended to read as follows:

483.715 ~~["Course" defined. "Course" means a program of instruction offered by a school for training drivers which includes instruction in a classroom or motor vehicle, or both.] Exemptions to requirement for proof of completion of a drive course; compliance with NRS 483.250 required for certain persons under 18 years of age.~~

1. *If an applicant for a driver's license who is under the age of 18 years attends a school that:
  - (a) *Is located in a county whose population is less than 35,000 or located in a city or town whose population is less than 25,000; and*
  - (b) *Does not offer a course in automobile driver education,*the applicant must submit to the department a form provided by the department and signed by an officer or a member of the administrative staff of a public or private high school which attests that the school does not offer a course in automobile driver education as part of the school curriculum.*
2. *Except as otherwise provided in subsection 3, an applicant for a driver's license who is under the age of 18 years and who surrenders a valid driver's license that is issued by another state or jurisdiction is exempt from the requirement to submit proof of completion of a course in automobile driver education to obtain a driver's license from this state.*
3. *An applicant for a driver's license who is under the age of 18 years and who surrenders a valid instruction permit or a valid restricted driver's license that is issued by another state or jurisdiction must comply with the provisions of NRS 483.250 before the department will issue a driver's license from this state.*
4. *A person under the age of 18 years who obtains an instruction permit before October 1, 1998, and who applies for a driver's license on or after October 1, 1998, is exempt from the requirement to submit proof of completion of a course in automobile driver education and is exempt from the requirements of subparagraph (2) of paragraph (d) of subsection 1 of NRS 483.250 if the instruction permit did not expire more than 30 days before the date of application for a driver's license.*

**Sec. 33** NAC 483.720 is hereby amended to read as follows:

483.720 ~~["Established place of business" defined. "Established place of business" means the place where a school for training drivers is authorized by the department to conduct the business of the school.] Submission of reports regarding students; deletion or crediting of demerit points; retention and availability of records.~~

1. *After a course is completed, the school shall submit the following information to the department concerning each student who enrolled in a course of traffic safety on a form approved by the department:
  - (a) *Name;**

- (b) Address;*
  - (c) Driver's license number;*
  - (d) Date of birth;*
  - (e) Course;*
  - (f) The date on which the student completed the course;*
  - (g) Test score;*
  - (h) School license number;*
  - (i) Whether the student had any traffic violations pending at any time during his enrollment in the course;*
  - (j) Whether the student's enrollment in the course was in conjunction with any type of plea agreement or a condition of sentencing;*
  - (k) Information concerning previous courses the student has enrolled in and completed within the 12month period immediately preceding the student's enrollment in this course, including the name and location of the schools attended and the dates of enrollment and completion; and*
  - (l) The instructor's printed name and signature.*
- 2. The form must be mailed to the Department of Motor Vehicles, Central Services and Records Division, 555 Wright Way, Carson City, Nevada 89711, Attention: Data Integrity.*
  - 3. Except as otherwise provided in subsection 4, upon receipt of the form by the department, three demerit points will be deleted from, credited to or not credited to the driver's demerit record pursuant to NRS 483.475 and this chapter, inclusive.*
  - 4. To be eligible to receive the cancellation of three demerit points, attendance can not be based on a plea agreement, students must attend all of the classes and successfully complete the final examination with a score of at least 70 percent.*
    - (a) A student who fails to pass the final examination must wait for at least 4 hours before retaking the final exam.*
  - 5. The department may, in its discretion, decide that no demerit points may be deleted from or not credited to the driver's demerit record if the student's enrollment was in conjunction with a plea agreement or was a condition of sentencing.*
  - 6. A person is not eligible for the deletion of demerit points and may not otherwise receive credit for completing a traffic safety course more than once in any 12 month period.*
  - 7. A school shall submit a written report to the referring court for each student enrolled in a DUI course. The report must include:*
    - (a) The name and department of the court having jurisdiction of the student;*
    - (b) Whether the student successfully completed the course within the time ordered by the court; and*
    - (c) Any additional information required by order of the court.*
  - 8. A school shall retain:*
    - (a) A copy of the reports and forms required in this section for each student;*
    - (b) Each student's preliminary examination, if one is administered, and final examination, or the score on those examinations if administered orally;*
    - (c) Each student's record of attendance in class;*
    - (d) Each student's evaluation of the course and teacher; and*
    - (e) The agreement signed by any approved guest speaker,*  
*for 3 years after the date on which the final class was held for the course to which it pertains.*
  - 9. The documents which must be retained pursuant to subsection 6 are not public records but must be made available to a representative of the department or judicial system during any*

*inspection of the school.*

*10. The operator of a school shall submit to the department a written report that includes the:*

- (a) Name;*
- (b) Address; and*
- (c) Driver's license number,*

*of each student who is enrolled in a DUI course. The report must be submitted by the 10th day of the month immediately following the month in which the student is enrolled.*

**Sec. 34** NAC 483.725 is hereby amended to read as follows:

483.725 ~~["Instructor" defined. (NRS 481.051, 483.760) "Instructor" means a person who is licensed by the department to teach either the classroom instruction phase or the behind-the-wheel training phase of a course of training in automobile driver education.]~~ *Approval of materials for course; use of audio and visual aids; presentations by approved guest speakers.*

*1. All materials for a course, including the syllabus, materials to be used by students and any examinations, must be submitted to the department for approval before their use in any class or for a communications technology course. All materials for a course, whether written, audio or visual, must relate directly to the syllabus of the course.*

*2. An instructor of a course may use:*

*(a) Audio and visual aids in the course but only to enhance his lectures and for not more than one-third of the total length of the course; and*

*(b) Motion pictures and printed materials if they relate directly to the curriculum.*

*3. The school shall obtain the prior written approval from the department before allowing a speaker who is a guest to present any part of the course. A presentation by an approved speaker who is a guest may be no more than one-half of any session of a class and no more than 1 1/2 hours of the total length of the course. A guest speaker need not be licensed as an instructor by the department.*

*4. An applicant for approval of a guest as a speaker for a course must:*

*(a) Apply for and obtain written approval from the department; and*

*(b) Provide the school with a written statement signed by the speaker acknowledging that he agrees to comply with the provisions of this chapter.*

*(c) A drive school may allow a guest speaker to present information to the students of classroom instruction. The use of one or more guest speakers may not exceed 4 hours of the total time allotted for the entire course.*

**Sec. 35** NAC 483.730 is hereby amended to read as follows:

483.730 ~~["Operator" defined. "Operator" means a person, including an owner of a school for training drivers or a person designated by the owner, who is licensed by the department to direct and manage the operations of a school for training drivers.]~~ *Courses: Requirements for instruction.*

*1. Drive school requirements;*

*(a) To meet the requirements of NRS 483.250, training must consist of a minimum of 30 hours, excluding any time taken for meals, rest breaks, workbook assignments, behind-the-wheel training or other work completed out of the presence of an instructor and the issuance of a certificate upon completion of the course.*

*(b) One hour of behind the wheel instruction is equivalent to three hours of classroom instruction in meeting the number of required instructional hours, pursuant to NAC 389.568.4(a).*

*(c) Each student may receive a maximum of 7 hours of instruction per day.*

*(d) Each session of a course must be presented no later than 7 days after the previous session was held.*

*(e) The use of audio-visual aids, personal computers or simulators for course instruction must not exceed 6 hours of the total 30 hours that are allotted for classroom instruction.*

*(f) In addition to the requirements of NRS 483.725, each student enrolled for classroom instruction must be provided with at least the following subjects:*

- (1) The proper attitudes for driving safely and the adverse effects of disturbed emotions;*
- (2) Use and maintenance of required safety equipment;*
- (3) Defensive driving;*
- (4) Established speed laws;*
- (5) Proper use of lanes;*
- (6) Backing up safely;*
- (7) The proper procedure for driving in a controlled or an uncontrolled intersection;*
- (8) Passing;*
- (9) Differentiating between the techniques required for driving:
  - (I) In a city;*
  - (II) On a freeway;*
  - (III) On an open highway; and*
  - (IV) Under adverse conditions;**
- (10) The meaning of the different colors of a traffic light and the meaning of traffic signs, signals and pavement markings, including signs that designate parking as illegal;*
- (11) Major causes of accidents and the legal and moral responsibilities in case of an accident;*
- (12) Driving in a work zone for construction or maintenance;*
- (13) Licensing control measures, including the grounds for suspension or revocation of a driver's license;*
- (14) Sharing the road with other motor vehicles, bicyclists and pedestrians; and*
- (15) The proper procedures for:
  - (I) The right of way in various situations;*
  - (II) Hand signals;*
  - (III) Passing a school bus, including passing when the driver of a school bus must stop;*
  - (IV) Starting a vehicle;*
  - (V) Making turns;*
  - (VI) Parking;*
  - (VII) Moving in reverse; and*
  - (VIII) Following another car at a proper distance.**
- (16) Required vehicle equipment;*
- (17) Vehicle registration;*
- (18) The different highway systems;*
- (19) The organizations that supervise the maintenance of and enforce the traffic laws on each system;*
- (20) The requirements for insurance in this state;*
- (21) The types of insurance coverage available;*
- (22) The procedures for purchasing an automobile;*
- (23) The sources of credit to finance the purchase of an automobile;*
- (24) The importance of the maintenance of a vehicle for driving safely, including:*

- (I) *Compilation of a list for the efficient and economical maintenance of a vehicle; and*
- (II) *Identification of the purpose of each instrument, device and control in a vehicle;*
- (25) *The consequence of physical handicaps on the ability to drive;*
- (26) *Sharing the road with others, including commercial vehicles, buses, motorcycles, bicycles and pedestrians;*
- (27) *Natural forces affecting driving, including driving at night; and*
- (28) *Rules of the road, including state laws and local motor vehicle laws and ordinances.*
- (g) *Behind-the-wheel training offered by a drive school must include, but is not limited to:*
  - (1) *Familiarization with a motor vehicle;*
  - (2) *Basic use of the controls in a motor vehicle;*
  - (3) *Development of skills essential to the safe operation of a motor vehicle in traffic; and*
  - (4) *Driving a motor vehicle in traffic with the instructor to develop abilities which are necessary to respond logically in a complex traffic situation.*
- (h) *A drive school shall not permit a student to operate a motor vehicle on any public street or highway unless the student has in his immediate possession a valid instruction permit issued by the department.*
- (i) *A drive school shall not permit a student under the age of 18 years to operate a motor vehicle in a jurisdiction during any time when the student would be in violation of a curfew in the jurisdiction.*

**Sec. 36** NAC 483.732 is hereby amended to read as follows:

483.732 ~~["Owner of a school for training drivers" defined. (NRS 481.051, 483.760) "Owner of a school for training drivers" means a natural or artificial person licensed by the department to own a business that gives instruction in the driving of a motor vehicle or in the preparation of an applicant for examination for a driver's license issued by the department.]~~ *A course for traffic safety must include instruction in the following subjects:*

1. *The common sense of driving;*
2. *Use and maintenance of required safety equipment;*
3. *Defensive driving;*
4. *Established speed laws;*
5. *Proper use of lanes;*
6. *Backing up safely;*
7. *Intersection etiquette;*
8. *Passing;*
9. *The various demands of driving in the city, country or on the highway;*
10. *Hazardous conditions;*
11. *The effect of alcohol and controlled substances on the ability to drive;*
12. *Driver responsibility;*
13. *Traffic signs, signals and pavement markings;*
14. *Licensing control measures; and*
15. *Driving as a privilege rather than a right.*

**Sec. 37** NAC 483.735 is hereby amended to read as follows:

483.735 ~~["School for training drivers" defined. "School for training drivers" means a business conducted by a natural person, association, partnership, corporation or other business entity, for the education of students, in a classroom or motor vehicle, or both, in preparation for the examination~~



~~for a driver's license or learner's permit required by the department to operate a motor vehicle.] A course for DUI must include instruction in the following subjects:~~

- ~~1. The problem of driving under the influence of intoxicating liquor or controlled substances as it exists in this state and the United States, including relevant statistics;~~
- ~~2. The law against driving under the influence of intoxicating liquor or controlled substances in this state, including penalties, the specific prohibition against driving with a concentration of alcohol of 0.10 gram or more of alcohol per 100 milliliters of the blood of a person or per 210 liters of his breath, implied consent to a test of a driver's breath, blood or urine, summary revocation of drivers' licenses and related matters;~~
- ~~3. The responsibilities and procedures of law enforcement agencies, the courts and the department regarding driving under the influence of intoxicating liquor or controlled substances;~~
- ~~4. The adverse effects of alcohol and controlled substances on bodily organs and the central nervous system, including the effects of abuse and addiction;~~
- ~~5. The adverse effects of alcohol and controlled substances on a person's ability to drive;~~
- ~~6. The possible effects of a conviction for driving under the influence of intoxicating liquor or controlled substances on a person's employment and personal life; and~~
- ~~7. The types of treatment which are available for abusers of alcohol and controlled substances.~~
- ~~8. The time of instruction in a course on the abuse of alcohol and controlled substances must include subjects relating to:
  - ~~(a) The abuse of alcohol and controlled substances; and~~
  - ~~(b) Traffic safety and traffic laws which are primarily applicable to driving under the influence of intoxicating liquor or controlled substances.~~~~
- ~~9. The instructor for a course on DUI:
  - ~~(a) May administer a preliminary written examination at the first meeting of the class to determine the knowledge of each student regarding driving under the influence of intoxicating liquor or controlled substances and the abuse of alcohol, controlled substances and other chemicals; and~~
  - ~~(b) Shall administer a final written or oral examination, at least half of which is directly related to driving under the influence of intoxicating liquor or controlled substances.~~~~

**Sec. 38** NAC 483.740 is hereby amended to read as follows:

~~483.740 [“Student” defined. “Student” means a person enrolled in a school for training drivers which is licensed by the department.]~~ Provision of course by communications technology.

- ~~1. A school may offer a communications technology course if the school is approved for teaching the course by the department.~~
- ~~2. A course given by communications technology must entail at least the same hours of study for completion by an average student.
  - ~~(a) The school shall develop procedures to verify that the student spends the minimum required time for the course.~~
  - ~~(b) Each unit of instruction must contain adequate course content material to satisfy the minimum course training material.~~
  - ~~(c) The system must prevent a student from advancing to the next unit if the required time for the current unit has not been met.~~
  - ~~(d) The system must be able to monitor the actual student participation time for each unit and must record and log the date and time the student logs off the system.~~~~
- ~~3. Each student enrolled in a communications technology course must take a final examination~~

*and sign a notarized statement, under penalty of perjury, that he took the examination. The examination and the signed statement must be maintained in the school's file for the student and be made available for inspection by the department.*

*4. The course must include validation-criteria system to ensure the identity of the student taking the course.*

*(a) The system must prevent a student who fails the validation criteria by 10% or more from receiving a Certificate of Completion.*

*(1) Failure of 10% or more of the personal validation questions must result in the student being prevented from continuing the course.*

**Sec. 39** NAC 483.750 to 483.795 is hereby repealed:

~~[Licenses for Operators and Instructors~~

~~483.750 License to own or operate: Requirements for application; inspection and evaluation; approval or denial of application; contents of license; cancellation; licensed instructor required. (NRS 481.051, 483.760)~~

~~1. In addition to the requirements of NRS 483.710, an applicant for a license to own or operate a school for training drivers must:~~

~~—(a) Submit to the department an application for a license to own or operate a school for training drivers on a form supplied by the department;~~

~~—(b) Prove to the satisfaction of the department that the applicant has earned a high school diploma or its equivalent;~~

~~—(c) Submit a non-refundable fee as required by NRS 483.780;~~

~~—(d) Within the 2 years immediately preceding the date an applicant submits his application to own or operate a school, not have a conviction of:~~

~~—(1) Two or more traffic offenses; or~~

~~—(2) A gross misdemeanor;~~

~~—(e) Within the 4 years immediately preceding the date an applicant submits his application to own or operate a school, not have been convicted of a felony; and~~

~~—(f) Never have been convicted of:~~

~~—(1) An offense involving fraud, dishonesty or moral turpitude;~~

~~—(2) A sexual offense as defined by NRS 179D.410; or~~

~~—(3) A crime that the department determines is related to a license to own or operate a school for training drivers.~~

~~2. The applicant must furnish the department with:~~

~~—(a) A list of each vehicle used by the school for training drivers, including the year, make and model of each vehicle;~~

~~—(b) A copy of the certificate of insurance that clearly identifies the vehicle insured for each vehicle used by the school for training drivers;~~

~~—(c) A copy of the agreement for each vehicle which is leased by the school and used for the training of drivers;~~

~~—(d) The official name of the school, including the name of the owner and any controlling officers of the school;~~

~~—(e) The proposed location of the established place of business of the school and the telephone number, if available;~~

~~—(f) The proposed plan of classroom instruction, if applicable, which the school will offer, including copies of detailed training outlines, course handouts, audio-visual aids, a list of related~~

- films or videos used by the school and all examinations which will be administered;
- (g) The proposed plan of behind the wheel training that the school will offer, if applicable, including copies of detailed training outlines;
  - (h) The days and hours of operation of the school;
  - (i) 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;
  - (j) 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;
  - (k) The fee for processing the cards as required by the central repository;
  - (l) Written documentation, if applicable, that clarifies the applicant's criminal record or related status;
  - (m) If the applicant is applying for a license to operate a school which will provide behind the wheel training, proof of experience required by subsection 6 of NRS 483.710; and
  - (n) Any other information concerning the applicant's honesty and integrity which the department considers necessary.
3. An owner or operator shall include in the application the address of each place where he conducts business and the name under which he does business at each address. If an owner or operator does business at more than one address, he shall designate one address as his principal place of business and one name as the principal name of his business. He shall designate as branches all his other business addresses not otherwise designated as a principal place of business pursuant to this subsection.
4. An owner or operator who makes application to the department to own or operate more than one school, in addition to meeting the requirements of subsections 2 and 3, must meet the requirements of NRS 483.710 and:
- (a) Submit a separate application and fee for each school he will be operating under a different name; and
  - (b) Prohibit an instructor employed by the school from instructing at a school or branch office for which he is not licensed.
5. Before an application is approved for a school, an authorized representative of the department will inspect the premises of the school for training drivers to ensure that the school has satisfactorily complied with all state and local health and safety codes and will review all applicable city and county business licenses of the school.
6. In addition to the requirements listed in this section, before an application is approved for a school that offers classroom instruction, an authorized representative of the department will inspect the premises of the school for training drivers to ensure:
- (a) The existence of satisfactory:
    - (1) Space for each student;
    - (2) Facilities for the disabled;
    - (3) Desks or tables and chairs;
    - (4) Restroom facilities; and
    - (5) Accessibility of the classroom to the area for parking; and
  - (b) The cleanliness of the equipment and facilities of the school is satisfactory to the department.
7. The department will evaluate the curriculum and facility of each school, and the qualifications of each instructor of the school, in its evaluation of an application.
8. A representative of the department may, if he considers it necessary:

- ~~—(a) Request additional information from an applicant; and~~
- ~~—(b) Request another state agency to review an application.~~

~~9. Within 30 days after the department receives an application, it will notify the applicant of the approval or denial of his application, or request additional information from the applicant. The department may issue a temporary license to operate a school for training drivers which expires on the date the department approves or denies the application, or upon the expiration of 6 months, whichever occurs first. The department may extend the temporary license if the result of the report regarding the applicant's criminal history is not received within the 6-month period. The department will not issue a license to an applicant if the applicant does not meet the requirements of NRS 483.710 and this section.~~

~~10. If an applicant does not provide to the department, within 6 months after the date he submits his application, all information necessary for the department to evaluate his application, the department will not consider him for licensure unless he submits a new application, takes the examination for licensure and pays the required fee.~~

~~11. A license issued by the department must show the name of the operator and the school, and the address of the school. If a school ceases operation as a school for training drivers, it shall immediately surrender to the department the license issued by the department and request cancellation of the license. A license to own or operate a school is nontransferable.~~

~~12. An owner or operator must be a licensed instructor for a course, or employ or contract for the services of at least one person who is a licensed instructor.]~~

~~483.760 Display of license to operate. (NRS 481.051, 483.760) The license to operate a school for training drivers issued to the operator of the school must be displayed in a conspicuous place visible to the public within each principal place of business and each branch office.~~

~~483.7605 Renewal of license to own or operate; provisional license. (NRS 481.051, 483.760)~~

~~1. To renew a license to own or operate a school for training drivers, a licensee must submit to the department:~~

- ~~—(a) An application for renewal;~~
- ~~—(b) The fee for licensure required by NRS 483.780;~~
- ~~—(c) For each vehicle used by the school for training drivers:~~
  - ~~—(1) A current list of the year, make and model;~~
  - ~~—(2) A copy of the certificate of insurance that clearly identifies the vehicle insured; and~~
  - ~~—(3) A copy of the lease agreement for each vehicle which is leased by the school; and~~
- ~~—(d) A copy of the days and hours of operation of the school, including the office of the school.~~

~~2. The department will accept an application for renewal up to 30 days after the date on which a license expires. If an application is submitted more than 30 days after the date on which a license expires and the license was not suspended or revoked by the department at the time of expiration, the license shall be deemed permanently lapsed and the licensee must submit an application for initial licensure pursuant to the provisions of NRS 483.710 and NAC 483.750.~~

~~3. The department will not renew a license if a licensee fails to comply with the provisions of NRS 483.700 to 483.780, inclusive, or NAC 483.710 to 483.795, inclusive.~~

~~4. The department may issue a provisional license for a period not to exceed 6 months pending the report on the applicant's criminal history. The department may extend the provisional license if the report is not received within the 6-month period.~~

~~483.761 License as instructor: Requirements for application; interview of applicant; revocation; periodic driving examination. (NRS 481.051, 483.760)~~

~~1. In addition to the requirements of NRS 483.720, an applicant for a license as an instructor for classroom instruction must:~~

~~—(a) Submit an application, on a form provided by the department, which sets forth his qualifications and contains the following information:~~

~~——(1) The full name and residence address of the applicant;~~

~~——(2) The date of birth of the applicant;~~

~~——(3) The social security number and driver's license number of the applicant;~~

~~——(4) The employment history of the applicant; and~~

~~——(5) The official name of each school where the applicant will be an instructor.~~

~~—(b) Submit to the department:~~

~~(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;~~

~~(3) The fee for processing the cards as required by the central repository; and~~

~~(4) Written documentation, if applicable, that clarifies the applicant's criminal record or related status.~~

~~—(c) Prove to the satisfaction of the department that the applicant has earned a high school diploma or its equivalent.~~

~~—(d) Within the 2 years immediately preceding the date an applicant submits his application, not have a conviction of:~~

~~——(1) Two or more traffic offenses;~~

~~——(2) A gross misdemeanor; or~~

~~——(3) A crime involving the possession, sale, use or manufacture of a controlled substance.~~

~~—(e) Within the 4 years immediately preceding the date an applicant submits his application, not have been convicted of a felony.~~

~~—(f) Never have been convicted of:~~

~~——(1) An offense involving fraud, dishonesty or moral turpitude;~~

~~——(2) A sexual offense as defined by NRS 179D.410; or~~

~~——(3) A crime that the department determines is related to the position for which the applicant applies.~~

~~—(g) Except as otherwise provided in this paragraph, 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 whose license is not endorsed to provide classroom instruction for the purposes of NRS 483.250 may submit proof of other education and experience that is deemed acceptable by the department.~~

~~—(h) Possess a valid driver's license issued by the department which, in Nevada or any other jurisdiction:~~

~~——(1) Does not have any outstanding failure to appear notices on file; and~~

~~——(2) Has not been suspended or revoked within the 12 months immediately preceding the date~~

~~on which the applicant submitted his application.~~

~~—(i) Pass a written examination administered by the department, with a score of at least 80 percent.~~

~~2. In addition to the requirements listed in subsection 1, an applicant for a license as an instructor is eligible to instruct a student in the behind-the-wheel training phase of a course in driver training if he:~~

~~—(a) Possesses a valid driver's license in this state which, in Nevada or any other jurisdiction:~~

~~—(1) Shows not more than one conviction for a moving traffic violation within the 12 months immediately preceding the date on which the applicant submitted his application nor more than two convictions for moving traffic violations within the 24 months immediately preceding the date on which the applicant submitted his application;~~

~~(2) Has not been suspended or revoked within the 3 years immediately preceding the date on which the applicant submitted his application;~~

~~(3) Shows no convictions involving alcohol or controlled substances within the 3 years immediately preceding the date on which the applicant submitted his application; and~~

~~(4) Authorizes the applicant to operate a vehicle in the classification necessary for the type of vehicle in which he will be giving instruction;~~

~~—(b) Submits evidence that he has been a licensed driver for at least 5 years; and~~

~~—(c) Obtains a score of at least 80 percent on a practical demonstration of his driving ability over a prescribed course as established by the department in the type of vehicle for which he will be instructing.~~

~~3. An application for a license as an instructor for a school for training drivers must be submitted to the department on a form provided by the department.~~

~~4. A representative of the department may interview an applicant for a license as an instructor for a school for training drivers to determine the applicant's knowledge, skills, abilities and fitness for instruction.~~

~~5. The department will not issue a license to an applicant if the applicant does not meet the requirements of NRS 483.720 and this section.~~

~~6. The department may revoke the license to instruct of an instructor if he is convicted of any traffic offense involving alcohol or a controlled substance. An instructor whose driver's license is revoked pursuant to this subsection is not eligible to instruct students in the classroom instruction phase of training for drivers until 12 months after the date of reinstatement of his driver's license or driving privilege. An instructor whose driver's license is revoked pursuant to this subsection is not eligible to instruct students for the behind-the-wheel training phase of training for drivers until 3 years after the date of reinstatement of his driver's license or driving privilege.~~

~~7. At least once every 5 years, an instructor of the behind-the-wheel training phase of training for drivers shall submit to a driving examination administered by a representative of the department.~~

~~483.7615 Examination for license as instructor. (NRS 481.051, 483.760)~~

~~1. The department will establish an examination for the licensure of an applicant as a driving instructor which may consist of an actual demonstration or a written examination, or both. The actual demonstration must be sufficient in scope to determine if the applicant consistently complies with all traffic laws and consistently practices the safe operation of a motor vehicle. The written examination will cover:~~

~~—(a) The traffic laws and procedures for licensing in this state;~~

~~—(b) Practices of safe driving;~~

- ~~—(c) The operation of a motor vehicle;~~
  - ~~—(d) Knowledge of teaching methods and techniques; and~~
  - ~~—(e) The laws and regulations which apply to an instructor.~~
2. ~~An applicant who fails to pass the examination must wait at least 1 full day before he may take the examination again.~~

~~483.762 Renewal of license as instructor. (NRS 481.051, 483.760)~~

1. ~~To renew a license as an instructor for a school for training drivers, a licensee must submit to the department:~~
- ~~—(a) An application for renewal; and~~
  - ~~—(b) The fee for licensure required by NRS 483.780.~~
2. ~~A licensee shall, during each 5-year period after the initial issuance of his license, pass a written examination administered by the department.~~
3. ~~Except as otherwise provided in this subsection, an applicant whose license is endorsed for classroom instruction for the purposes of NRS 483.250 must submit evidence with his application for renewal, in the form of a school transcript or other documentation which verifies:~~
- ~~—(a) 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 which pertains to the development of skills related to driving or providing instruction, within the 2 years immediately preceding the date on which the application for renewal is submitted; or~~
  - ~~—(b) At least 40 hours of other instruction, training or seminars which pertain to the development of skills related to driving or providing instruction in driving, within the 2 years immediately preceding the date on which the application for renewal is submitted.~~
4. ~~An instructor in a school for training commercial vehicle operators or an instructor whose license is not endorsed to provide classroom instruction pursuant to the provisions of NRS 483.250 must submit evidence with his application for renewal, in the form of a school transcript or other documentation which verifies:~~
- ~~—(a) Completion of at least 18 hours of education or training that relates to driving skills or to providing instruction; or~~
  - ~~—(b) At least 1 year of experience providing instruction that is deemed acceptable by the department for the purposes of this subsection.~~
5. ~~The department will accept an application for renewal up to 30 days after the date on which a license expires. If an application is submitted more than 30 days after the date on which a license expires and the license was not suspended or revoked by the department at the time of expiration, the license shall be deemed permanently lapsed and the licensee must submit an application for initial licensure pursuant to the provisions of NRS 483.720 and NAC 483.761.~~
6. ~~The department will not renew a license if a licensee fails to comply with the provisions of NRS 483.700 to 483.780, inclusive, or NAC 483.710 to 483.795, inclusive.~~

~~483.7625 Grounds for denial of license. (NRS 481.051, 483.760) The department will refuse to issue a license to an applicant for a license to operate a school for training drivers or as an instructor for a school for training drivers if:~~

1. ~~The applicant was previously issued a license by the department to operate a school for training drivers or as an instructor for a school for training drivers, which license was suspended or revoked by the department and was not reissued or reinstated;~~

- ~~2. The applicant has committed an act which would be a ground for the suspension or revocation of a license;~~
- ~~3. The applicant has knowingly made a false statement or concealed a material fact in applying for the license;~~
- ~~4. In the case of an application for a license to operate a school for training drivers, the name proposed for the school is duplicative of another school for training drivers, or could be confusing or misleading to the general public;~~
- ~~5. The licensee fails to comply with the provisions of NRS 483.700 to 483.780, inclusive, or NAC 483.710 to 483.795, inclusive; or~~
- ~~6. The applicant has been convicted of:
  - ~~—(a) A felony within the 4 years immediately preceding the date he submits his application;~~
  - ~~—(b) An offense involving fraud, dishonesty or moral turpitude;~~
  - ~~—(c) A sexual offense as defined by NRS 179D.410; or~~
  - ~~—(d) A crime that the department determines is related to the position for which the applicant applies.~~~~

~~483.763 Transfer of license prohibited; limitations on use of license; instruction at multiple schools; issuance of duplicate license. (NRS 481.051, 483.760)~~

- ~~1. A license to operate a school for training drivers or as an instructor for a school for training drivers is not transferable.~~
- ~~2. A license issued to an instructor of a school for training drivers may be used in the school or any licensed branch office of the school for which the license was issued.~~
- ~~3. A licensed instructor who will be instructing at more than one school must apply to the department and pay the required license fee for each school in which he will instruct.~~
- ~~4. If a license to operate a school for training drivers or as an instructor for a school for training drivers is lost, mutilated or destroyed, the director of the department will issue a duplicate license if the licensee submits a properly signed and completed application and an affidavit setting forth the reason for the loss, mutilation or destruction of the license. The affidavit must include the date of loss, mutilation or destruction and the circumstances involving the loss, mutilation or destruction.~~

~~483.7635 Reexamination of qualifications of licensee. The department may require a person who has a license to operate a school for training drivers or as an instructor for a school for training drivers to submit to a reexamination of his qualifications if the department has reason to believe that the licensee does not have the qualifications required for licensure. If the licensee refuses to submit to a reexamination, the department may suspend his license without a hearing until he submits to a reexamination. If the department suspends a license pursuant to this section, the suspension is effective 8 days after the date the department mails the notice of suspension to the licensee.~~

~~483.764 Hearing concerning denial, suspension or revocation of license.~~

- ~~1. The applicant for a license, the owner or operator of a school for training drivers or a driving instructor may, within 30 days after the receipt of the notice of denial, suspension or revocation of a license, petition the department in writing for a hearing conducted by a hearing officer of the department.~~
- ~~2. Upon filing the petition, a date for the hearing must be fixed no later than 30 days after the receipt of the request for hearing or as soon as practicable.~~
- ~~3. Within 30 days after the hearing, the hearing officer of the department shall make a final~~



determination.

~~483.7645 Suspension or revocation of license; reinstatement. (NRS 481.051, 483.760)~~

~~1. If the license of a person to own or operate a school for training drivers or as an instructor for a school for training drivers has been suspended, the license must be surrendered to the department. The license will be suspended until the licensee complies with the requirements of the department.~~

~~2. If the driver's license of a person who is licensed to operate a school for training drivers or as an instructor for a school for training drivers has been suspended or revoked for any cause, the department will suspend or revoke the license to operate or instruct in a school for training drivers. The person whose license to operate or instruct was suspended or revoked may not reapply for a license:~~

~~—(a) As an instructor for behind the wheel training within 3 years after the date of the reinstatement of his driver's license or driving privilege.~~

~~—(b) As an operator or instructor for classroom instruction within 1 year after the date of the reinstatement of his driver's license or driving privilege.~~

~~Upon suspension or revocation, the license to operate or instruct must be surrendered to the department.~~

~~3. A license to operate or instruct that has been suspended or revoked may not be renewed until reinstatement or reissuance by the department. If the suspension or revocation extends 30 days or more after the expiration of the license, the licensee must apply for an initial license pursuant to the provisions of NRS 483.710 or 483.720.~~

~~4. To reinstate a license to operate or instruct that has been suspended or revoked by the department, the licensee must otherwise qualify for the reinstatement and:~~

~~—(a) Submit a new application to the department; and~~

~~—(b) Pay the original fee for licensure.~~

#### Requirements for Operation

~~483.765 Advertising. (NRS 481.051, 483.760)~~

~~1. No owner or operator of a school for training drivers may intentionally publish, display or circulate any advertising which is misleading or inaccurate or misrepresents any of the services rendered or furnished to the public. The director of the department may request that such advertising be withdrawn from circulation.~~

~~2. An owner or operator of a school for training drivers shall not use in advertising or other publicity for the school:~~

~~—(a) Any name other than the name in which the license for the school is issued.~~

~~—(b) Any name that may cause the general public to believe that the school is affiliated with the department or any of the divisions of the department.~~

~~—(c) Any name which includes the word "state" in the name of the school.~~

~~3. An advertisement for a school for training drivers must not include a guarantee that a student of the school will receive a driver's license or otherwise imply that the school has the capacity to influence the department in the issuance of drivers' licenses, or that a student will otherwise receive preferential treatment by the department.~~

~~4. An advertisement for a school for training drivers may indicate that the school is licensed by the department but must not indicate that the school is otherwise approved, sanctioned or endorsed by the department.~~

~~5. An instructor, employee or agent of a school for training drivers shall not personally solicit any~~

~~person or otherwise solicit business from the general public within any premises owned, rented or leased by the department.~~

~~483.770 Records; evaluation by student of training provided. (NRS 481.051, 483.760)~~

~~1. All records of students enrolled at a school for training drivers must be maintained at the established place of business for 3 years after the student last attends the school and made available to the authorized representative of the department at all reasonable times, including when the representative is conducting an inspection of the facility for compliance with the provisions of NRS 483.700 to 483.780, inclusive, and NAC 483.710 to 483.795, inclusive.~~

~~2. A school for training drivers shall require each student enrolled in the school to complete an evaluation of the training provided by the school on a form approved by the department.~~

~~3. Each operator of a school for training drivers shall keep a record for each student of the school which includes:~~

~~—(a) The name, address and license number of the school;~~

~~—(b) The name and address of the student;~~

~~—(c) The record of attendance of the student at each training session;~~

~~—(d) The instruction permit number or driver's license number of the student;~~

~~—(e) The name and license number of each instructor of each training session attended by the student;~~

~~—(f) A description of the type of instruction given and the amount of time devoted to each type of instruction;~~

~~—(g) The date on which each type of instruction was given;~~

~~—(h) The total number of hours of instruction; and~~

~~—(i) The evaluation form completed by the student or a notation on the record indicating the reason why the student did not complete the evaluation form.~~

~~4. If the department suspends, revokes or cancels the license of a person to operate a school for training drivers, the person shall, upon the request of the department, surrender all records maintained by the school pursuant to this section within 3 days after the date of the request, excluding Saturday, Sunday or a legal holiday. The department may copy or make a record of any information contained in the records and will return all records to the person within 30 days after the date of surrender of the records.~~

~~483.780 Report of certain changes concerning operation of school. (NRS 481.051, 483.760)~~

~~1. Each owner or operator of a school for training drivers approved by the department shall report in writing to the department through the Northern Regional Manager, Motor Vehicles Branch, 305 Galletti Way, Reno, Nevada 89512 or the Southern Regional Manager, Motor Vehicles Branch, 8250 West Flamingo, Las Vegas, Nevada 89117 within 10 days after the date of:~~

~~—(a) An addition, termination or change of a school owner, operator or instructor;~~

~~—(b) An addition or deletion of any motor vehicle which is used by the school in driver training instruction;~~

~~—(c) A change in the location of the established place of business of the school;~~

~~—(d) An addition or deletion of a branch or classroom of the school; or~~

~~—(e) A change of mailing address of a principal place of business or a licensed branch office.~~

~~2. If a school for training drivers has a change in ownership and the new owner will be the operator of the school, he must apply for a license pursuant to the provisions of NRS 483.710 and NAC 483.750.~~

~~3. If there is an addition of one or more motor vehicles used by a school for the training of drivers, the school shall provide to the department a supplemental list of such motor vehicles and include a certificate of insurance for each additional vehicle.~~

~~4. The department may require each person licensed pursuant to the provisions of NRS 483.710 and NAC 483.750 or NRS 483.720 and NAC 483.761 to provide to the department any additional information which the department considers necessary in carrying out the provisions of NAC 483.710 to 483.795, inclusive.~~

~~483.784 Requirements for operation. (NRS 481.051, 483.760)~~

~~1. A school for training drivers shall comply with all state and local health and safety codes and must be located in this state.~~

~~2. A school for training drivers offering classroom instruction or behind the wheel training must not be located at a private residence, mobile home, hotel room or rooming house, or consist only of a temporary address, mail drop or post office box.~~

~~3. A school for training drivers must be accessible to the public and for evaluation by a representative of the department during regular business hours of each working day:~~

~~—(a) By providing office personnel; or~~

~~—(b) If office personnel are not available, by providing a telephone answering service or telephone answering machine.~~

~~4. The classrooms and common areas of a school for training drivers must not be located within a facility where alcohol is dispensed.~~

~~5. A representative of the department will evaluate the proposed facility to determine if the conditions of this section are met before issuance of a license by the department.~~

~~483.789 Courses: Requirements for materials and instruction; operation of motor vehicle without instruction permit prohibited; curfew; guest speakers. (NRS 481.051, 483.760)~~

~~1. A school for training drivers shall submit to the department all materials for each course offered by the school, including the syllabus and any written examinations. The school shall not use any material in a course which has not received the approval of the department. All materials, including materials in written, audio and visual form, must relate directly to the syllabus for the course. A school shall apply to the department in writing for approval of any proposed change in the curriculum, proposed change in the content or character of the final examination or proposed change in the schedule of courses offered by the school at least 30 days before the date on which the proposed change will take effect.~~

~~2. In addition to the requirements of NRS 483.725, each student enrolled in a course at a school for training drivers which includes instruction in the classroom must be provided with instruction in at least the following subjects:~~

~~—(a) The proper attitudes for driving safely and the adverse effects of disturbed emotions;~~

~~—(b) Use and maintenance of required safety equipment;~~

~~—(c) Defensive driving;~~

~~—(d) Established speed laws;~~

~~—(e) Proper use of lanes;~~

~~—(f) Backing up safely;~~

~~—(g) The proper procedure for driving in a controlled or an uncontrolled intersection;~~

~~—(h) Passing;~~

~~—(i) Differentiating between the techniques required for driving;~~

- ~~— (1) In a city;~~
  - ~~— (2) On a freeway;~~
  - ~~— (3) On an open highway; and~~
  - ~~— (4) Under adverse conditions;~~
  - ~~— (j) The meaning of the different colors of a traffic light and the meaning of traffic signs, signals and pavement markings, including signs that designate parking as illegal;~~
  - ~~— (k) Major causes of accidents and the legal and moral responsibilities in case of an accident;~~
  - ~~— (l) Driving in a work zone for construction or maintenance;~~
  - ~~— (m) Licensing control measures, including the grounds for suspension or revocation of a driver's license;~~
  - ~~— (n) Sharing the road with other motor vehicles, bicyclists and pedestrians; and~~
  - ~~— (o) The proper procedures for:~~
    - ~~— (1) The right of way in various situations;~~
    - ~~— (2) Hand signals;~~
    - ~~— (3) Passing a school bus, including passing when the driver of a school bus must stop;~~
    - ~~— (4) Starting a vehicle;~~
    - ~~— (5) Making turns;~~
    - ~~— (6) Parking;~~
    - ~~— (7) Moving in reverse; and~~
    - ~~— (8) Following another car at a proper distance.~~
- ~~3. Behind the wheel training offered by a school for training drivers must include, but is not limited to:~~
- ~~— (a) Familiarization with a motor vehicle;~~
  - ~~— (b) Basic use of the controls in a motor vehicle;~~
  - ~~— (c) Development of skills essential to the safe operation of a motor vehicle in traffic; and~~
  - ~~— (d) Driving a motor vehicle in traffic with the instructor to develop abilities which are necessary to respond logically in a complex traffic situation.~~
- ~~4. A school for training drivers shall not permit a student to operate a motor vehicle on any public street or highway unless the student has in his immediate possession a valid instruction permit issued by the department.~~
- ~~5. A school for training drivers shall not permit a student under the age of 18 years to operate a motor vehicle in a jurisdiction during any time when the student would be in violation of a curfew in the jurisdiction.~~
- ~~6. An operator of a school for training drivers may allow a guest speaker to present information to the students of classroom instruction. The use of one or more guest speakers may not exceed 4 hours of the total time allotted for the entire course. A guest speaker need not be licensed as an instructor by the department.~~

~~483.7892 Courses: Additional subjects of instruction. (NRS 481.051, 483.255) In addition to the requirements listed in NAC 483.789, each student enrolled in a course of classroom instruction at a school for training drivers to meet the requirements of NRS 483.250 must be provided with instruction in the following additional subjects:~~

- ~~1. Required vehicle equipment;~~
- ~~2. Vehicle registration;~~
- ~~3. The different highway systems;~~
- ~~4. The organizations that supervise the maintenance of and enforce the traffic laws on each system;~~

- ~~5. The requirements for insurance in this state;~~
- ~~6. The types of insurance coverage available;~~
- ~~7. The procedures for purchasing an automobile;~~
- ~~8. The sources of credit to finance the purchase of an automobile;~~
- ~~9. The importance of the maintenance of a vehicle for driving safely, including:  
—(a) Compilation of a list for the efficient and economical maintenance of a vehicle; and  
—(b) Identification of the purpose of each instrument, device and control in a vehicle;~~
- ~~10. The consequence of physical handicaps on the ability to drive;~~
- ~~11. Sharing the road with others, including commercial vehicles, buses, motorcycles, bicycles and pedestrians;~~
- ~~12. Natural forces affecting driving, including driving at night; and~~
- ~~13. Rules of the road, including state laws and local motor vehicle laws and ordinances.~~

~~483.7894 Courses: Approval of and endorsement by department. (NRS 481.051, 483.255)~~

- ~~1. Before a course in automobile driver education that is conducted by a school for training drivers is commenced, the department must approve the course. The department will evidence its approval of a course by placing an endorsement on the school's license to operate a school for training drivers. The endorsement will specify whether the school is authorized to provide:  
—(a) General classroom instruction;  
—(b) Classroom instruction to a person who is under the age of 18 years to fulfill the requirements of NRS 483.250;  
—(c) Behind-the-wheel training; or  
—(d) Any combination of paragraphs (a), (b) and (c).~~
- ~~2. A school for training drivers that is currently licensed by the department must fulfill the requirements of subparagraph (2) of paragraph (d) of subsection 1 of NRS 483.250 and NAC 483.7892 to 483.7906, inclusive, before the department will place an endorsement on the license as described in subsection 1.~~

~~483.7896 Courses: Requirements for classroom instruction. (NRS 481.051, 483.255)~~

- ~~1. Classroom instruction offered by a school for training drivers to meet the requirements of NRS 483.250 must consist of a minimum of 30 hours, excluding any time taken for meals, rest breaks, workbook assignments, behind-the-wheel training, other work completed out of the presence of an instructor and the issuance of a certificate upon completion of the course.~~
- ~~2. Each student may receive a maximum of 7 hours of instruction per day.~~
- ~~3. Each session of a course must be presented not later than 7 days after the previous session was held.~~
- ~~4. The use of audio-visual aids, personal computers or simulators for course instruction must not exceed 6 hours of the total 30 hours that are allotted for classroom instruction.~~

~~483.7898 Completion of course: Certain documents accepted as proof; credit for completion for and issuance of certificate of completion to person under 18 years of age; maintenance of records by school. (NRS 481.051, 483.255)~~

- ~~1. Pursuant to NRS 483.250, the department will accept the following as proof of successful completion of a course in automobile driver education offered by a public or private college, university or high school located in the United States that is subject to regulation by its respective state educational agency or governing board:~~

~~—(a) A written statement which indicates that the student has successfully completed a course in automobile driver education which includes the:~~

~~——(1) Name of the student;~~

~~——(2) Date of birth of the student; and~~

~~——(3) Signature of the registrar or other member of the administrative staff of the school;~~

~~—(b) A school transcript; or~~

~~—(c) Any other form acceptable to the department.~~

~~2. Pursuant to NRS 483.250, the department will accept a certificate of completion on a form approved by the department as proof of successful completion of a course in automobile driver education that is offered by a school for training drivers which is licensed or approved by the department and which includes the:~~

~~—(a) Official name of the school;~~

~~—(b) Name of the student;~~

~~—(c) Date of birth of the student;~~

~~—(d) Date that the course was completed;~~

~~—(e) Amount and type of training that was completed; and~~

~~—(f) Name and signature of the instructor who provided the training.~~

~~3. For a person under the age of 18 years to receive credit for completion of classroom instruction of a course in automobile driver education:~~

~~—(a) The student must attend every session; or~~

~~—(b) If a student is absent, the absence must be marked on the attendance record and the student must make up the session that is missed.~~

~~4. A school for training drivers may issue a certificate of completion to a person under the age of 18 years only if the person:~~

~~—(a) Completes the classroom course required pursuant to subparagraph (2) of paragraph (d) of subsection 1 of NRS 483.250; and~~

~~—(b) Receives a minimum passing score of 70 percent on his final examination.~~

~~5. A school for training drivers that provides training to students as described in this section shall retain a copy or transcript of the record of each student under the age of 18 years for 3 years after the date of the completion of the course as evidence of the total hours of training he has received.~~

~~483.7902 Completion of course: Proof for legally emancipated person. (NRS 481.051, 483.255) A person under the age of 18 years who applies for a driver's license and who presents a court document showing that he has been legally emancipated must submit proof of completion of a course in automobile driver education, but he may sign for himself, attesting that he has completed the training and experience required by subparagraph (2) of paragraph (d) of subsection 1 of NRS 483.250.~~

~~483.7904 Completion of course: Credit given to certain persons under the age of 18 years. (NRS 483.051, 483.255) A person under the age of 18 years who applies for a driver's license or instruction permit on or after October 1, 1998, and who successfully completed a course in automobile driver education before October 1, 1998, will be given credit for completing the course in automobile driver education, regardless of the age of the applicant at the time the course was completed.~~

~~483.7906 Exemptions to requirement for proof of completion of course; compliance with NRS~~

~~483.250 required for certain persons under 18 years of age. (NRS 481.051, 483.255)~~

- ~~1. If an applicant for a driver's license who is under the age of 18 years attends a school that:  
—(a) Is located in a county whose population is less than 35,000 or located in a city or town whose population is less than 25,000; and  
—(b) Does not offer a course in automobile driver education,  
the applicant must submit to the department a form provided by the department and signed by an officer or a member of the administrative staff of a public or private high school which attests that the school does not offer a course in automobile driver education as part of the school curriculum.~~
- ~~2. Except as otherwise provided in subsection 3, an applicant for a driver's license who is under the age of 18 years and who surrenders a valid driver's license that is issued by another state or jurisdiction is exempt from the requirement to submit proof of completion of a course in automobile driver education to obtain a driver's license from this state.~~
- ~~3. An applicant for a driver's license who is under the age of 18 years and who surrenders a valid instruction permit or a valid restricted driver's license that is issued by another state or jurisdiction must comply with the provisions of NRS 483.250 before the department will issue a driver's license from this state.~~
- ~~4. A person under the age of 18 years who obtains an instruction permit before October 1, 1998, and who applies for a driver's license on or after October 1, 1998, is exempt from the requirement to submit proof of completion of a course in automobile driver education and is exempt from the requirements of subparagraph (2) of paragraph (d) of subsection 1 of NRS 483.250 if the instruction permit did not expire more than 30 days before the date of application for a driver's license.~~

~~483.792 Annual inspection: Cooperation required; report. (NRS 481.051, 483.760)~~

- ~~1. An authorized representative of the department will annually inspect a school for training drivers to determine whether the school complies with all applicable laws and regulations, including the provisions of NRS 483.700 to 483.780, inclusive, and NAC 483.710 to 483.795, inclusive. The representative will inspect the school during regular business hours. The inspection will include an examination of:  
—(a) The records of the school, including, without limitation, the course evaluation forms completed by a student;  
—(b) All facilities used by the school;  
—(c) Training devices employed by the school;  
—(d) Instruction materials and methods used by the school; and  
—(e) Written examinations, if applicable.~~
- ~~2. Each person who owns or operates a school for training drivers, including a partnership, corporation or association, and each employee of the school, shall cooperate with the authorized representative who is conducting the inspection and, upon the request of the representative, shall provide all records, instructional materials, equipment and other items necessary to conduct the inspection. If such a person refuses to allow the representative to conduct the investigation, the license of the school may be suspended by the department.~~
- ~~3. Within 30 days after an inspection, the department will provide to the school for training drivers a written report of the inspection, which will indicate whether the school is in compliance with all applicable laws and regulations and describe any deficiency which requires correction. The department may revoke or suspend the license of a school which does not correct a deficiency within a reasonable time after notification by the department.~~

~~483.795 Vehicles used for training drivers: Inspection; requirements. (NRS 481.051, 483.760)~~

~~1. An authorized representative of the department will, at least semiannually, visually inspect each vehicle used for the training of drivers to ensure that the vehicle is in good operating condition.~~

~~2. Each vehicle which is not a commercial motor vehicle pursuant to NAC 483.802 and is used by a school for training drivers must be maintained in a clean and safe operating condition at all times and have at least the following equipment:~~

~~—(a) If the vehicle is equipped with an automatic transmission, a dual braking device which enables an instructor in the front passenger seat to bring the vehicle under control in an emergency;~~

~~—(b) If the vehicle is equipped with a standard transmission, a dual clutch device and braking device which enables an instructor in the front passenger seat to bring the car under control in an emergency;~~

~~—(c) A separate mirror which enables the instructor to view traffic behind the vehicle; and~~

~~—(d) A safety belt for the driver and each passenger of the vehicle.~~

~~3. If a school for training drivers purchases or leases a motor vehicle for the training of drivers, an authorized representative of the department will inspect the vehicle:~~

~~—(a) Within 30 days after the purchase or lease.~~

~~—(b) In the discretion of the department, during the semiannual inspection conducted pursuant to subsection 1.~~

~~4. Each vehicle which is a commercial motor vehicle pursuant to NAC 483.802 and is used by a school for training drivers must meet all the requirements of the Federal Motor Carrier Safety Regulations as set forth in 49 C.F.R. §§ 390 et seq.~~

~~5. While being used to provide behind-the-wheel training on a public road, a vehicle must display conspicuously a sign which states “Student Driver” or the name of the school. The sign must:~~

~~—(a) Be securely mounted on a vehicle;~~

~~—(b) Not be constructed of paper; and~~

~~—(c) Have a background and letters of contrasting colors and be visible at least 100 feet from both the front and rear of the vehicle while operating in traffic.]~~