

LCB File No. R080-02

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

May 13, 2002

The following sections of NAC 483 are hereby amended to read as follows:

483.471 Reinstatement: Waiver of certain tests.

1. The department will waive the knowledge, driving skills and vision tests when reinstating a driver's license if:

(a) The license was suspended for:

- (1) Any violation of law governing financial responsibility;
- (2) The failure to make a report of an accident;
- (3) The violation of a written promise to appear in court pursuant to a citation;
- (4) The violation of a license restriction, other than a restriction that requires an annual vision test, a driving skills test or the submission of a medical letter from a physician;
- (5) The use, possession, sale or distribution by a minor of a controlled substance, or the purchase, consumption or possession by a minor of an alcoholic beverage; or
- (6) A first offense for driving at a time when the license was suspended.

(7) The non-payment of child support based on notification from the court who has determined a person is in arrears in payment for the support of a child pursuant to NRS 425.3837, regardless of the length of the suspension.

(b) The license was canceled for:

- (1) Insufficient identification at the time of application;
- (2) The issuance of a check to the department with insufficient money or credit to pay the check;
- (3) The withdrawal of the license of the driver in another state;
- (4) The failure to pay all fees;
- (5) The failure to pay a civil penalty relating to the operation of a motor vehicle; or
- (6) Incorrect information appearing on the driver's license, except for a missing or an incorrect license endorsement.

2. An applicant who successfully completes a knowledge test for a commercial driver's license may not be required to complete a knowledge test for a noncommercial driver's license.

3. The department will waive the driving skills test when reinstating a driver's license if:

(a) The license has been revoked for less than 1 year:

- (1) For a conviction for driving under the influence of alcohol or a controlled substance;
- (2) For failing to submit to a test of alcohol concentration or the presence of a controlled substance in the system of the driver; or
- (3) Pursuant to the provisions of NRS 484.385.

(b) The driver has successfully completed a driving skills test in a commercial vehicle. An additional driving skills test in a noncommercial vehicle will not be required.

(c) The license was canceled because of an error made by the department.

(d) The driver is reinstating his license by mail for the purpose of obtaining a license in another state.

4. The department will waive the vision test when reinstating a driver's license if:

(a) The expiration date on the reinstated license will not change from the expiration date on the withdrawn license;

(b) The reinstatement is completed by mail to obtain a clearance letter or a license from another state; or

(c) The applicant provides a report from an ophthalmologist, optician or optometrist in lieu of a vision test administered by the department.

483.320 Revocation, cancellation, suspension and voluntary surrender of license. (NRS 481.051, 483.220)

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

2. If a licensee fails to comply with restriction M, N or O, or any combination thereof, as those restrictions are described in NAC 483.350 and 483.365, the department will cancel his license. If a licensee fails for a second time *within a 3 year period* to comply with any other restriction imposed by the department, the department will suspend his license for 3 months.

3. If it is determined that a licensee is physically or mentally incompetent to operate a motor vehicle, the department may afford the licensee the opportunity to surrender his driver's license voluntarily. Upon receipt of the license, the department will cancel the driving privilege and issue an identification card at no charge. The licensee may apply for a reinstatement of his driver's license if he presents medical evidence satisfactory to the department that he is physically or mentally capable of operating a motor vehicle. If the licensee fails to surrender his license voluntarily to the department within 15 days after the department requests the surrender, the department will suspend his driving privilege. The department will revoke the suspension of the driving privilege of the licensee, cancel his driver's license and allow the licensee to apply for a new driver's license pursuant to the provisions of NRS 483.010 to 483.630, inclusive, if the licensee submits to the department proof that is satisfactory to the department that he was physically unable to surrender his driver's license when requested.