

**LCB File No. R145-04**

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

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

AUTHORITY: NAC 483.750

**NAC 483.750 Licensure as operator: Prerequisites; operation of branch location or multiple schools; surrender of license upon ceasing operation or closing branch location.**  
(NRS 481.051, 483.710)

1. In addition to any applicable statutory requirements, an applicant for a license to operate a school for drivers must:

(a) Submit to the Department:

(1) The name and address of each person who has an ownership interest in the school or who is an officer of the school; and

(2) The proposed days and hours of operation of the school;

(b) Be a licensed instructor for a course, or employ or contract for the services of at least one person who is a licensed instructor;

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

(1) Two or more traffic offenses; or

(2) A gross misdemeanor;

(d) Within the 5 years immediately preceding the date an applicant submits his application to operate a school, not have been convicted of a felony;

(e) Never have been convicted of:

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

(2) A sexual offense as defined in NRS 179D.410; or

(3) A crime that the Department determines is related to the operation of a school for drivers; and

(f) 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.

2. If the applicant is applying for a license to operate a school for training drivers that will provide behind-the-wheel training, he must furnish the Department with:

(a) A list of each vehicle used by the school for training drivers, including the year, make, model and vehicle identification number 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 lease agreement for each vehicle which is leased by the school and used for the training of drivers;

(d) The proposed plan of behind-the-wheel training that the school will offer, including copies of detailed training outlines;

(e) Proof of the experience required by subsection 5 of NRS 483.710; and

(f) Any other information concerning the applicant's honesty and integrity which the Department considers necessary.

3. An 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 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 branch locations all his other business addresses not otherwise designated as a principal place of business pursuant to this subsection. A branch location must be operated under the same name as the principal place of business.

4. An applicant who makes application to the Department to 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 location for which he is not licensed.

5. If a school ceases operation as a school for training drivers, it shall immediately surrender to the Department the license issued by the Department.

6. If a school closes a branch location, it shall surrender to the Department the license for that location within 10 calendar days after the date of closure.

**NAC 483.752 Licensure as instructor: Prerequisites; interview of applicant; transfer of license; instruction at multiple schools; termination of relationship with school. (NRS 481.051, 483.720, 483.7205, 483.721)**

1. Each applicant for licensure as an instructor must, in addition to all applicable statutory requirements, provide to the Department:

(a) Proof acceptable to the Department that the applicant possesses a valid driver's license issued by this state;

(b) Proof acceptable to the Department that the applicant:

(1) Has received a high school diploma or its equivalent; or

(2) If the application is for licensure as an instructor for a school for training drivers to operate commercial motor vehicles, has accumulated, in the 7 years immediately preceding his application, not less than 5 years' experience in the operation of commercial vehicles;

(c) The applicant's:

(1) Name;

(2) Date of birth;

(3) Social security number and driver's license number; and

(4) Residential address;

(d) The official name of the school at which the applicant will be an instructor;

(e) A résumé that summarizes the applicant's education, experience, certification as an instructor and fitness for the position;

(f) Any certificates which substantiate that the applicant meets the qualifications for licensure as an instructor; and

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

2. If the application is for a license as an instructor for a school for training drivers, the applicant, in addition to all applicable statutory requirements and the requirements of subsection 1, must:

(a) Submit to the Department to satisfy the requirements of NRS 483.7205:

(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; and

(3) A fee for processing the fingerprints of the applicant that is equal to the total amount charged by the Central Repository and the Federal Bureau of Investigation for processing the fingerprints of the applicant.

(b) Obtain a score of at least 80 percent on a practical demonstration of his driving ability over a prescribed course established by the Department in the type of vehicle in which he will be providing instruction.

(c) If the applicant is seeking approval to provide behind-the-wheel training:

(1) Not have, in any jurisdiction:

(I) More than two convictions for a moving traffic violation within the 24 months immediately preceding the date on which the applicant submitted his application;

(II) Any convictions involving alcohol or controlled substances within the 3 years immediately preceding the date on which the applicant submitted his application; or

(III) Had his driver's license or driving privilege suspended or revoked within the 3 years immediately preceding the date on which the applicant submitted his application;

(2) Be authorized to operate a vehicle of the classification necessary for the type of vehicle in which he will be giving instruction; and

(3) Submit evidence that he has possessed, for at least 5 years, a driver's license of the classification necessary for the type of vehicle in which he will be giving instruction.

3. An applicant who seeks approval to provide classroom instruction to a person who is under 18 years of age must, except as otherwise provided in this subsection, 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 who is not approved to provide classroom instruction to a person who is under 18 years of age may submit proof of other education and experience that is acceptable to the Department.

4. If the application is for a license as an instructor for a school for traffic safety or a school or other entity that offers a course on the abuse of alcohol or controlled substances, the applicant, in addition to any applicable statutory requirements and the requirements of subsection 1, 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.

(b) Present proof to the Department that he has successfully completed a course of instruction in the subject matter to be taught.

(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.

(d) If the application is for a license as an instructor to teach at a school or other entity that offers a course on the abuse of alcohol or controlled substances, 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.

5. A representative of the Department may interview an applicant for any license as an instructor to evaluate his knowledge, skills and abilities, and his fitness for receiving a license.

6. An instructor may transfer his license to another school after notifying the Department.

7. An instructor must obtain a separate license for each school at which he acts as an instructor. An instructor must file a separate application and pay a separate fee for each such license.

8. If an instructor terminates his employment or contractual relationship with a school for drivers, he shall surrender his license to instruct at that school to the operator of the school. The operator shall forward the surrendered license to the Department not later than 10 days after the termination of the employment or relationship. The Department will issue an updated license to authorize the instructor to teach at a different school for the remaining term of the surrendered license if the instructor submits to the Department:

(a) All documentation required by the Department; and

(b) A certificate of employment indicating he has been reemployed by a licensed school.

***9. The department may issue a temporary license to operate as an Instructor 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.***