

**PROPOSED REGULATION OF THE DEPARTMENT OF
HEALTH AND HUMAN SERVICES**

LCB File No. R004-06

February 17, 2006

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

AUTHORITY: §§1-5, NRS 426.257.

A REGULATION relating to persons with disabilities; establishing standards governing the use of signature stamps by persons with physical disabilities; authorizing certain persons and governmental entities to require a person who uses a signature stamp to prove his identity; providing the extent to which a person and governmental entity may incur liability related to the use of a signature stamp; and providing other matters properly relating thereto.

Section 1. Chapter 426 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this regulation.

Sec. 2. *As used in sections 2 to 5, inclusive, of this regulation, unless the context otherwise requires, “signature stamp” has the meaning ascribed to it in NRS 426.257.*

Sec. 3. *A person shall not use a signature stamp unless the person is the owner of the signature stamp.*

Sec. 4. 1. *A person, government, governmental agency or political subdivision of a government may require a person who uses a signature stamp pursuant to NRS 426.257 to present photographic identification as proof of his identity to ensure that the person using the signature stamp is the owner of the signature stamp.*

2. *A person, government, governmental agency or political subdivision of a government that requires a person to present photographic identification pursuant to subsection 1 shall*

accept a driver's license, identification card, passport and any other documentation which contains a photograph of the person issued by a governmental entity which the person, government, governmental agency or political subdivision of a government deems to be satisfactory proof of a person's identity.

3. The provisions of this section do not apply to the use of signature stamps in an election held in this State or in any other circumstances which are governed by title 24 of NRS.

Sec. 5. *1. Except as otherwise provided in subsections 2 and 3, the owner of a signature stamp is liable for any damages caused by the use of the signature stamp by a person other than the owner of the signature stamp.*

2. The owner of a signature stamp is not liable for damages caused by the use of the signature stamp by a person other than the owner of the signature stamp if the signature stamp was lost or stolen and the owner reported the loss or theft of the signature stamp to the appropriate law enforcement agency and to the financial institutions with which the owner of the signature stamp has accounts within 10 days after the date of discovery of the loss or theft.

3. A person, government, governmental agency or political subdivision of a government is liable for any damages caused by the use of a signature stamp by a person other than the owner of the signature stamp if the person, government, governmental agency or political subdivision of a government had an opportunity to verify, in person, the identity of the person who used the signature stamp and the person, government, governmental agency or political subdivision of a government failed to verify the identity of the person who used the signature stamp.