

Amendment No. 30

Assembly Amendment to Assembly Bill No. 195	(BDR 43-636)
Proposed by: Assembly Committee on Growth and Infrastructure	
Amends: Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

MR/BAW



Date: 3/30/2023

A.B. No. 195—Revises provisions governing certain fees for drivers’ licenses.
(BDR 43-636)



ASSEMBLY BILL NO. 195—ASSEMBLYWOMAN HARDY

FEBRUARY 20, 2023

Referred to Committee on Growth and Infrastructure

SUMMARY—Revises provisions governing certain fees for drivers’ licenses ~~and~~ and identification cards. (BDR 43-636)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

~

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

AN ACT relating to ~~motor vehicles;~~ offenders; requiring the Department of Motor Vehicles to waive the fee for the administration of the examination required for the issuance of a noncommercial driver’s license for certain persons released from prison; requiring the Department to waive any fee that would otherwise be imposed against a person for the late renewal of a driver’s license if the late renewal resulted from the person being incarcerated; requiring the Department to reinstate free of charge a driver’s license or to provide an original or renewal driver’s license or an original or renewal identification card to certain persons released from prison in certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law provides for the waiver of: (1) certain fees for furnishing a duplicate driver’s
 2 license or a duplicate identification card to a person who was released from prison, a
 3 county, city or town jail or a detention facility within the 90 days immediately preceding the
 4 person’s application for the driver’s license ~~and~~ or identification card; and (2) the cost of
 5 producing a photograph for a driver’s license ~~and~~ or an identification card. The person must
 6 reimburse the Department of Motor Vehicles for certain portions of the fee if the vendor who
 7 produces the photograph of the person for the license or identification card does not waive
 8 the cost it charges the Department to produce the photograph. (NRS 483.417 ~~and~~, 483.825)
 9 **Section 3** of this bill requires the Department to waive the fees for: (1) furnishing an original
 10 or renewal driver’s license; (2) reinstating a driver’s license; and (3) producing a photograph
 11 for a driver’s license, including any reimbursement, if a person submits documentation
 12 verifying the person was released from prison within the year immediately preceding the
 13 person’s application for a driver’s license. Section 3.5 of this bill requires the Department
 14 to waive the fees for: (1) furnishing an original identification card or for renewing an
 15 identification card; and (2) producing a photograph for an identification card, including
 16 any reimbursement, if a person submits documentation verifying the person was
 17 released from prison within the year immediately preceding the person’s application for
 18 an identification card.

19 Existing law authorizes the Department to require applicants for a driver’s license to
 20 submit to an examination. (NRS 483.330) The fee for administration of the examination for a
 21 noncommercial driver’s license is \$25. (NRS 483.410) **Section 1** of this bill requires the

22 Department to waive the fee for the examination not more than one time for a person who
23 submits documentation verifying the person was released from prison within the immediately
24 preceding year.

25 Under existing law, if the holder of a Nevada driver's license allows the license to expire
26 for a period of 30 days or more, the person is required to pay a penalty of \$10 when renewing
27 the license. (NRS 483.386, 483.410) Existing law provides an exception to this penalty to a
28 person whose license expires during a period of suspension, but only if the person completes a
29 renewal application within 30 days after the date of eligibility for renewal. (NRS 483.386)

30 **Section 2** of this bill provides an additional exception to the penalty for any person whose
31 license expires during a period of incarceration, if the person submits documentation verifying
32 the person was released from prison within the immediately preceding year and the person
33 completes a renewal application within 1 year after his or her release.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 483.330 is hereby amended to read as follows:

2 483.330 1. The Department may require every applicant for a driver's
3 license, including a commercial driver's license issued pursuant to NRS 483.900 to
4 483.940, inclusive, to submit to an examination. The examination may include:

5 (a) A test of the applicant's ability to understand official devices used to
6 control traffic;

7 (b) A test of the applicant's knowledge of practices for safe driving and the
8 traffic laws of this State;

9 (c) Except as otherwise provided in subsection 2, a test of the applicant's
10 eyesight; and

11 (d) Except as otherwise provided in subsection 3, an actual demonstration of
12 the applicant's ability to exercise ordinary and reasonable control in the operation
13 of a motor vehicle of the type or class of vehicle for which he or she is to be
14 licensed.

15 ☞ The examination may also include such further physical and mental examination
16 as the Department finds necessary to determine the applicant's fitness to drive a
17 motor vehicle safely upon the highways. If the Department requires an applicant to
18 submit to a test specified in paragraph (b), the Department shall ensure that the test
19 includes at least one question testing the applicant's knowledge of the provisions of
20 NRS 484B.165.

21 2. The Department may provide by regulation for the acceptance of a report
22 from an ophthalmologist, optician, optometrist, physician or advanced practice
23 registered nurse in lieu of an eye test by a driver's license examiner.

24 3. If the Department establishes a type or classification of driver's license to
25 operate a motor vehicle of a type which is not normally available to examine an
26 applicant's ability to exercise ordinary and reasonable control of such a vehicle, the
27 Department may, by regulation, provide for the acceptance of an affidavit from a:

28 (a) Past, present or prospective employer of the applicant; or

29 (b) Local joint apprenticeship committee which had jurisdiction over the
30 training or testing, or both, of the applicant,

31 ☞ in lieu of an actual demonstration.

32 4. The Department may waive an examination pursuant to subsection 1 for a
33 person applying for a Nevada driver's license who possesses a valid driver's license
34 of the same type or class issued by another jurisdiction unless that person:

35 (a) Has not attained 21 years of age, except that the Department may, based on
36 the driving record of the applicant, waive the examination to demonstrate the

1 applicant's ability to exercise ordinary and reasonable control in the operation of a
2 motor vehicle of the same type or class of vehicle for which he or she is to be
3 licensed;

4 (b) Has had his or her license or privilege to drive a motor vehicle suspended,
5 revoked or cancelled or has been otherwise disqualified from driving during the
6 immediately preceding 4 years;

7 (c) Has been convicted of a violation of NRS 484C.130 or, during the
8 immediately preceding 7 years, of a violation of NRS 484C.110, 484C.120 or
9 484C.430 or a law of any other jurisdiction that prohibits the same or similar
10 conduct;

11 (d) Has restrictions to his or her driver's license which the Department must
12 reevaluate to ensure the safe driving of a motor vehicle by that person;

13 (e) Has had three or more convictions of, or findings by a court of having
14 committed, moving traffic violations on his or her driving record during the
15 immediately preceding 4 years; or

16 (f) Has been convicted of any of the offenses related to the use or operation of
17 a motor vehicle which must be reported pursuant to the provisions of Part 1327 of
18 Title 23 of the Code of Federal Regulations relating to the National Driver Register
19 Problem Driver Pointer System during the immediately preceding 4 years.

20 5. The Department shall waive the fee prescribed by NRS 483.410 not more
21 than one time for administration of the examination required pursuant to this
22 section for ~~the~~ :

23 (a) A homeless child or youth under the age of 25 years who submits a signed
24 affidavit on a form prescribed by the Department stating that the child or youth is
25 homeless and under the age of 25 years.

26 (b) *A person who submits documentation from the Department of*
27 *Corrections verifying that the person was released from prison within the*
28 *immediately preceding year.*

29 6. As used in this section, "homeless child or youth" has the meaning ascribed
30 to it in 42 U.S.C. § 11434a.

31 **Sec. 2.** NRS 483.386 is hereby amended to read as follows:

32 483.386 All persons whose licenses have expired may be required by the
33 Department, whenever good cause appears, to take all or part of the regular
34 examinations as set forth in NRS 483.330. All persons whose licenses have expired
35 for a period of 30 days or more shall pay to the Department the penalty provided in
36 NRS 483.410 in addition to the cost of renewing the license except that the
37 following persons are exempt from this penalty:

38 1. A person who has not driven a motor vehicle after the expiration of his or
39 her Nevada driver's license and who submits an affidavit stating that fact;

40 2. A person renewing an expired Nevada driver's license who possesses a
41 valid driver's license from another jurisdiction;

42 3. A person whose Nevada driver's license expires during a period of
43 suspension if the person completes a renewal application within 30 days after the
44 date of eligibility for renewal;

45 4. A person whose Nevada driver's license expires while the person is on
46 active duty with any branch of the Armed Forces, if the person completes a renewal
47 application within 30 days after his or her discharge; ~~and~~

48 5. A person whose Nevada driver's license expires while the person was a
49 member of the military deployed to a combat or combat supporting position. As
50 used in this subsection, "military" means the Armed Forces of the United States, a
51 reserve component thereof or the National Guard ~~;~~ **and**

52 6. *A person whose Nevada driver's license expires while the person is*
53 *serving a period of incarceration, if the person submits documentation from the*

1 *Department of Corrections verifying that the person was released from prison*
2 *within the immediately preceding year and the person completes a renewal*
3 *application within 1 year after his or her release.*

4 **Sec. 3.** NRS 483.417 is hereby amended to read as follows:

5 483.417 1. Except as otherwise provided in subsection ~~44~~ 5, the
6 Department shall waive the fee prescribed by NRS 483.410 and the increase in the
7 fee required by NRS 483.347 not more than one time for furnishing a duplicate
8 driver's license to:

9 (a) A homeless person who submits a signed affidavit on a form prescribed by
10 the Department stating that the person is homeless.

11 (b) A person who submits documentation from the Department of Corrections
12 verifying that the person was released from prison within the immediately
13 preceding ~~90 days~~ year.

14 (c) A person who submits documentation from a county, city or town jail or
15 detention facility verifying that the person was released from the county, city or
16 town jail or detention facility, as applicable, within the immediately preceding 90
17 days.

18 2. *The Department shall waive the fee prescribed by NRS 483.410 and the*
19 *increase in the fee required by NRS 483.347 not more than one time for:*

20 (a) *Furnishing an original or renewal driver's license to; or*

21 (b) *The reinstating after suspension, revocation or cancellation of the*
22 *driver's license of,*

23 *↪ a person who submits documentation from the Department of Corrections*
24 *verifying that the person was released from prison within the immediately*
25 *preceding year.*

26 3. A vendor that has entered into an agreement with the Department to
27 produce photographs for drivers' licenses pursuant to NRS 483.347 may waive the
28 cost it charges the Department to produce the photograph of ~~44~~ :

29 (a) A homeless person or person released from prison or a county, city or town
30 jail or detention facility for a duplicate driver's license ~~44~~ ; or

31 (b) *A person released from prison for an original or renewal driver's license*
32 *or for the reinstatement of a driver's license.*

33 ~~44~~ 4. Except as otherwise provided in subsection ~~44~~ 5, if the vendor does
34 not waive pursuant to subsection ~~44~~ 3 the cost it charges the Department and the
35 Department has waived the increase in the fee required by NRS 483.347 for a
36 duplicate driver's license furnished to a person pursuant to subsection 1, the person
37 shall reimburse the Department in an amount equal to the increase in the fee
38 required by NRS 483.347 if the person:

39 (a) Applies to the Department for the renewal of his or her driver's license; and

40 (b) Is employed at the time of such application.

41 ~~44~~ 5. The Department shall waive the fee prescribed by NRS 483.410, the
42 increase in the fee required by NRS 483.347 and the reimbursement required by
43 subsection ~~44~~ 4 not more than one time for furnishing ~~44~~ :

44 (a) *An original driver's license or a duplicate driver's license to a homeless*
45 *child or youth under the age of 25 years who submits a signed affidavit on a form*
46 *prescribed by the Department stating that the child or youth is homeless and under*
47 *the age of 25 years.*

48 (b) *An original or renewal driver's license to or reinstating the driver's*
49 *license of a person who submits documentation from the Department of*
50 *Corrections verifying that the person was released from prison within the*
51 *immediately preceding year.*

52 ~~44~~ 6. The Department may accept gifts, grants and donations of money to
53 fund the provision of original , *renewal* and duplicate drivers' licenses *or the*

1 *reinstatement of drivers' licenses* without a fee to persons pursuant to subsections
2 1, 2 and ~~4~~ 5.

3 ~~6~~ 7. As used in this section, "homeless child or youth" has the meaning
4 ascribed to it in 42 U.S.C. § 11434a.

5 Sec. 3.5. NRS 483.825 is hereby amended to read as follows:

6 483.825 1. Except as otherwise provided in subsection ~~4~~ 5, the
7 Department shall waive the fee prescribed by NRS 483.820 and the increase in the
8 fee required by NRS 483.347 not more than one time for furnishing a duplicate
9 identification card to:

10 (a) A homeless person who submits a signed affidavit on a form prescribed by
11 the Department stating that the person is homeless.

12 (b) A person who submits documentation from the Department of Corrections
13 verifying that the person was released from prison within the immediately
14 preceding ~~90 days~~ year.

15 (c) A person who submits documentation from a county, city or town jail or
16 detention facility verifying that the person was released from the county, city or
17 town jail, as applicable, within the immediately preceding 90 days.

18 2. The Department shall waive the fee prescribed by NRS 483.820 and the
19 increase in the fee required by NRS 483.347 not more than one time for
20 furnishing an original identification card or a renewal of an identification card
21 to a person who submits documentation from the Department of Corrections
22 verifying that the person was released from prison within the immediately
23 preceding year.

24 3. A vendor that has entered into an agreement with the Department to
25 produce photographs for identification cards pursuant to NRS 483.347 may waive
26 the cost it charges the Department to produce the photograph of ~~4~~ :

27 (a) A homeless person or person released from prison, a county, city or town
28 jail or detention facility for a duplicate identification card ~~4~~ ; or

29 (b) A person released from prison for an original identification card or for
30 the renewal of an identification card.

31 ~~3~~ 4. Except as otherwise provided in subsection ~~4~~ 5, if the vendor does
32 not waive pursuant to subsection ~~2~~ 3 the cost it charges the Department and the
33 Department has waived the increase in the fee required by NRS 483.347 for a
34 duplicate identification card furnished to a person pursuant to subsection 1, the
35 person shall reimburse the Department in an amount equal to the increase in the fee
36 required by NRS 483.347 if the person:

37 (a) Applies to the Department for the renewal of his or her identification card;
38 and

39 (b) Is employed at the time of such application.

40 ~~4~~ 5. The Department shall waive the fee prescribed by NRS 483.820, the
41 increase in the fee required by NRS 483.347 and the reimbursement required by
42 subsection ~~3~~ 4 not more than one time for furnishing ~~4~~ :

43 (a) An original identification card or a duplicate identification card to a
44 homeless child or youth less than 25 years of age who submits a signed affidavit on
45 a form prescribed by the Department stating that the child or youth is homeless and
46 less than 25 years of age.

47 (b) An original identification card or for renewing an identification card to a
48 person who submits documentation from the Department of Corrections verifying
49 that the person was released from prison within the immediately preceding year.

50 ~~5~~ 6. The Department may accept gifts, grants and donations of money to
51 fund the provision of original, *renewal* and duplicate identification cards without a
52 fee to persons pursuant to subsections 1, 2 and ~~4~~ 5.

53 ~~6~~ 7. As used in this section:

- 1 (a) “Homeless child or youth” has the meaning ascribed to it in 42 U.S.C. §
2 11434a.
3 (b) “Photograph” has the meaning ascribed to it in NRS 483.125.
4 **Sec. 4.** This act becomes effective on July 1, 2023.