
SENATE BILL NO. 143—SENATORS WOODHOUSE, MANENDO,
SEGERBLOM, SPEARMAN, PARKS; FORD, JONES AND
KIHUEN

FEBRUARY 18, 2013

Referred to Committee on Transportation

SUMMARY—Revises provisions governing certain examinations
for driver’s licenses. (BDR 43-696)

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

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

AN ACT relating to motor vehicles; requiring the Department of
Motor Vehicles to include on certain examinations at least
one question testing an applicant’s knowledge of a certain
subject; and providing other matters properly relating
thereto.

Legislative Counsel’s Digest:

1 Existing law authorizes the Department of Motor Vehicles to require each
2 applicant for an instruction permit, driver’s license or commercial driver’s license
3 to submit to an examination consisting of various areas and subjects, including a
4 test of the applicant’s knowledge of practices for safe driving and the traffic laws of
5 this State. (NRS 483.280, 483.330) As part of the practices for safe driving and the
6 traffic laws of this State, existing law prohibits a person, under certain
7 circumstances, from texting or otherwise using a cellular telephone or other
8 handheld wireless communications device while operating a motor vehicle on a
9 highway in this State, unless the device is used with an accessory which allows the
10 person to communicate without his or her hands. (NRS 484B.165) **Sections 1 and 2**
11 of this bill require the Department, if the Department administers an examination
12 concerning practices for safe driving or the traffic laws of this State, to ensure that
13 the examination includes at least one question testing the applicant’s or licensee’s
14 knowledge of the prohibition against texting or otherwise using a cellular telephone
15 or other handheld wireless communications device while operating a motor vehicle
16 upon a highway in this State.



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

1 **Section 1.** NRS 483.280 is hereby amended to read as follows:
2 483.280 1. Any person who is at least 15 1/2 years of age
3 may apply to the Department for an instruction permit. The
4 Department may, in its discretion, after the applicant has
5 successfully passed all parts of the examination *administered*
6 *pursuant to NRS 483.330*, other than the driving test, issue to the
7 applicant an instruction permit entitling the applicant, while having
8 the permit in his or her immediate possession, to drive a motor
9 vehicle upon the highways for a period of 1 year when accompanied
10 by a licensed driver who is at least 21 years of age, who has had at
11 least 1 year of licensed driving experience in the type of vehicle for
12 which the permit was issued and who is actually occupying a seat
13 beside the driver, except when the permittee is occupying a
14 motorcycle. The term "licensed driving experience" as used in this
15 subsection does not include driving experience gained under an
16 instruction permit issued pursuant to the provisions of this section.

17 2. The Department may, in its discretion, issue a temporary
18 driver's permit to an applicant for a driver's license permitting the
19 applicant to drive a motor vehicle while the Department is
20 completing its investigation and determination of all facts relative to
21 the applicant's right to receive a driver's license. The permit must
22 be in the applicant's immediate possession while driving a motor
23 vehicle, and is invalid when the applicant's license has been issued
24 or for good cause has been refused.

25 3. The Department, upon receiving proper application, may, in
26 its discretion, issue a restricted instruction permit effective for a
27 school year, or for a more restricted period, to an applicant who is
28 enrolled in a drivers' education program which includes practice
29 driving and which is approved by the Department even though the
30 applicant has not reached the legal age to be eligible for a driver's
31 license. The instruction permit entitles the permittee, when the
32 permittee has the permit in his or her immediate possession, to drive
33 a motor vehicle only on a designated highway or within a designated
34 area, but only when an approved instructor is occupying a seat
35 beside the permittee.

36 **Sec. 2.** NRS 483.330 is hereby amended to read as follows:

37 483.330 1. The Department may require every applicant for a
38 driver's license, including a commercial driver's license issued
39 pursuant to NRS 483.900 to 483.940, inclusive, to submit to an
40 examination. The examination may include:

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



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

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

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

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

16 2. The Department may provide by regulation for the
17 acceptance of a report from an ophthalmologist, optician or
18 optometrist in lieu of an eye test by a driver's license examiner.

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

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

26 (b) Local joint apprenticeship committee which had jurisdiction
27 over the training or testing, or both, of the applicant,
28 ➔ in lieu of an actual demonstration.

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

33 (a) Has not attained 21 years of age, except that the Department
34 may, based on the driving record of the applicant, waive the
35 examination to demonstrate the applicant's ability to exercise
36 ordinary and reasonable control in the operation of a motor vehicle
37 of the same type or class of vehicle for which he or she is to be
38 licensed;

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

42 (c) Has been convicted of a violation of NRS 484C.130 or,
43 during the immediately preceding 7 years, of a violation of NRS
44 484C.110, 484C.120 or 484C.430 or a law of any other jurisdiction
45 that prohibits the same or similar conduct;



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

4 (e) Has had three or more convictions of moving traffic
5 violations on his or her driving record during the immediately
6 preceding 4 years; or

7 (f) Has been convicted of any of the offenses related to the use
8 or operation of a motor vehicle which must be reported pursuant to
9 the provisions of Parts 1327 et seq. of Title 23 of the Code of
10 Federal Regulations relating to the National Driver Register
11 Problem Driver Pointer System during the immediately preceding 4
12 years.

13 **Sec. 3.** This act becomes effective:

14 1. Upon passage and approval for the purposes of adopting any
15 necessary regulations and performing any other preparatory
16 administrative tasks that are necessary to carry out the provisions of
17 this act; and

18 2. On October 1, 2013, for all other purposes.

