

SENATE BILL NO. 161—SENATOR GUSTAVSON

FEBRUARY 16, 2011

Referred to Committee on Transportation

SUMMARY—Requires that any examination or test required for the issuance of a driver’s license be administered in the English language. (BDR 43-576)

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

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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 drivers’ licenses; providing that any examination or test required to obtain a driver’s license or motorcycle driver’s license must be administered in the English language; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law authorizes the Department of Motor Vehicles to require every
2 applicant for a driver’s license or motorcycle driver’s license to submit to an
3 examination that may include a test of the applicant’s ability to understand various
4 traffic control devices and knowledge of safe driving practices and the traffic laws
5 of this State. (NRS 483.330, 486.131) This bill requires that any such examination
6 be administered in the English language.

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
3 driver’s license, including a commercial driver’s license issued
4 pursuant to NRS 483.900 to 483.940, inclusive, to submit to an
5 examination. The examination *must be administered in the English*
6 *language and* may include:
7 (a) A test of the applicant’s ability to understand official devices
8 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.

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

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

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

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

25 ➔ in lieu of an actual demonstration.

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

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

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

39 (c) Has been convicted of a violation of NRS 484C.130 or,
40 during the immediately preceding 7 years, of a violation of NRS
41 484C.110, 484C.120 or 484C.430 or a law of any other jurisdiction
42 that prohibits the same or similar conduct;

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



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

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

10 **Sec. 2.** NRS 486.131 is hereby amended to read as follows:

11 486.131 1. The Department may require every applicant for a
12 motorcycle driver's license to submit to an examination conducted
13 by the Department or successfully complete a course of motorcycle
14 safety approved by the Department.

15 2. An examination may be held in the county where the
16 applicant resides within 30 days after the date application is made ,
17 *must be administered in the English language* and may include:

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

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

22 (c) Except as otherwise provided in a regulation adopted
23 pursuant to subsection 2 of NRS 483.330, a test of the applicant's
24 eyesight; and

25 (d) An actual demonstration of the applicant's ability to exercise
26 ordinary and reasonable control in the operation of a motorcycle.

27 ➤ The examination may also include such further physical and
28 mental examination as the Department finds necessary to determine
29 the applicant's fitness to drive a motorcycle safely upon the
30 highways.



