

SENATE BILL NO. 396—SENATOR DENIS

MARCH 20, 2019

Referred to Committee on Growth and Infrastructure

SUMMARY—Revises provisions relating to certain licenses and cards issued by the Department of Motor Vehicles. (BDR 43-1041)

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 drivers' licenses; revising provisions governing the use of a driver's license from another jurisdiction for certain purposes; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law authorizes the Department of Motor Vehicles to issue to certain
2 persons a driver's license, a driver authorization card, an identification card or a
3 motorcycle driver's license. (NRS 483.340, 483.820, 486.071) When applying for
4 such a license or card, the applicant may use his or her driver's license that was
5 issued by another state, the District of Columbia or any territory of the United
6 States to prove his or her full legal name and age, and for certain other purposes.
7 The Department is not obligated to accept such a license, however, under certain
8 circumstances. **Section 1** of this bill defines, for the purposes of chapter 483 of
9 NRS which governs the issuance of such licenses and cards, the term "state" to
10 mean a state of the United States, the District of Columbia, the Commonwealth of
11 Puerto Rico, the United States Virgin Islands or any territory or insular possession
12 subject to the jurisdiction of the United States so that the provisions apply equally
13 to each of those jurisdictions. **Sections 2-5** of this bill make conforming changes,
14 and **section 6** of this bill makes a conforming change to the provisions governing
15 the issuance of a motorcycle driver's license.



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

1 **Section 1.** Chapter 483 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *“State” means a state of the United States, the District of*
4 *Columbia, the Commonwealth of Puerto Rico, the United States*
5 *Virgin Islands or any territory or insular possession subject to the*
6 *jurisdiction of the United States.*

7 **Sec. 2.** NRS 483.020 is hereby amended to read as follows:

8 483.020 As used in NRS 483.010 to 483.630, inclusive, unless
9 the context otherwise requires, the words and terms defined in NRS
10 483.030 to 483.190, inclusive, *and section 1 of this act* have the
11 meanings ascribed to them in those sections.

12 **Sec. 3.** NRS 483.290 is hereby amended to read as follows:

13 483.290 1. An application for an instruction permit or for a
14 driver’s license must:

15 (a) Be made upon a form furnished by the Department.

16 (b) Be verified by the applicant before a person authorized to
17 administer oaths. Officers and employees of the Department may
18 administer those oaths without charge.

19 (c) Be accompanied by the required fee.

20 (d) State the full legal name, date of birth, sex, address of
21 principal residence and mailing address, if different from the
22 address of principal residence, of the applicant and briefly describe
23 the applicant.

24 (e) State whether the applicant has theretofore been licensed as a
25 driver, and, if so, when and by what state or country, and whether
26 any such license has ever been suspended or revoked, or whether an
27 application has ever been refused, and, if so, the date of and reason
28 for the suspension, revocation or refusal.

29 (f) Include such other information as the Department may
30 require to determine the competency and eligibility of the applicant.

31 2. Every applicant must furnish proof of his or her full legal
32 name and age by displaying:

33 (a) An original or certified copy of the required documents as
34 prescribed by regulation; or

35 (b) A photo identification card issued by the Department of
36 Corrections pursuant to NRS 209.511.

37 3. The Department shall adopt regulations prescribing the
38 documents an applicant may use to furnish proof of his or her full
39 legal name and age to the Department pursuant to paragraph (a) of
40 subsection 2, including, without limitation, a document issued by
41 the Department pursuant to NRS 483.375 or 483.8605.



1 4. At the time of applying for a driver's license, an applicant
2 may, if eligible, preregister or register to vote pursuant to
3 NRS 293.524.

4 5. Every applicant who has been assigned a social security
5 number must furnish proof of his or her social security number by
6 displaying:

7 (a) An original card issued to the applicant by the Social
8 Security Administration bearing the social security number of the
9 applicant; or

10 (b) Other proof acceptable to the Department, including, without
11 limitation, records of employment or federal income tax returns.

12 6. The Department may refuse to accept a driver's license
13 issued by another state ~~[, the District of Columbia or any territory of~~
14 ~~the United States]~~ if the Department determines that the other state
15 ~~[, the District of Columbia or the territory of the United States]~~ has
16 less stringent standards than the State of Nevada for the issuance of
17 a driver's license.

18 7. With respect to any document presented by a person who
19 was born outside of the United States, *the Commonwealth of*
20 *Puerto Rico, the United States Virgin Islands or any territory or*
21 *insular possession of the United States* to prove his or her full legal
22 name and age, the Department:

23 (a) May, if the document has expired, refuse to accept the
24 document or refuse to issue a driver's license to the person
25 presenting the document, or both; and

26 (b) Shall issue to the person presenting the document a driver's
27 license that is valid only during the time the applicant is authorized
28 to stay in the United States, or if there is no definite end to the time
29 the applicant is authorized to stay, the driver's license is valid for 1
30 year beginning on the date of issuance.

31 8. The Administrator shall adopt regulations setting forth
32 criteria pursuant to which the Department will issue or refuse to
33 issue a driver's license in accordance with this section to a person
34 who is a citizen of any state ~~[, the District of Columbia, any territory~~
35 ~~of the United States]~~ or a foreign country. The criteria pursuant to
36 which the Department shall issue or refuse to issue a driver's license
37 to a citizen of a foreign country must be based upon the purpose for
38 which that person is present within the United States.

39 9. Notwithstanding any other provision of this section, the
40 Department shall not accept a consular identification card as proof
41 of the age or identity of an applicant for an instruction permit or for
42 a driver's license. As used in this subsection, "consular
43 identification card" has the meaning ascribed to it in NRS 232.006.



1 **Sec. 4.** NRS 483.291 is hereby amended to read as follows:
2 483.291 1. An application for an instruction permit or for a
3 driver authorization card must:

- 4 (a) Be made upon a form furnished by the Department.
5 (b) Be verified by the applicant before a person authorized to
6 administer oaths. Officers and employees of the Department may
7 administer those oaths without charge.
8 (c) Be accompanied by the required fee.
9 (d) State the name, date of birth, sex and residence address of
10 the applicant and briefly describe the applicant.
11 (e) State whether the applicant has theretofore been licensed as a
12 driver, and, if so, when and by what state or country, and whether
13 any such license has ever been suspended or revoked, or whether an
14 application has ever been refused, and, if so, the date of and reason
15 for the suspension, revocation or refusal.
16 (f) Include such other information as the Department may
17 require to determine the competency and eligibility of the applicant.

18 2. Every applicant must furnish proof of his or her name and
19 age by displaying an original or certified copy of:

- 20 (a) Any one of the following documents:
21 (1) A birth certificate issued by a state ~~[]~~ or a political
22 subdivision of a state ; ~~[, the District of Columbia or any territory of~~
23 ~~the United States;]~~
24 (2) A driver's license issued by another state ~~[, the District of~~
25 ~~Columbia or any territory of the United States]~~ which is issued
26 pursuant to the standards established by 6 C.F.R. Part 37, Subparts
27 A to E, inclusive, and which contains a security mark approved by
28 the United States Department of Homeland Security in accordance
29 with 6 C.F.R. § 37.17;
30 (3) A passport issued by the United States Government;
31 (4) A military identification card or military dependent
32 identification card issued by any branch of the Armed Forces of the
33 United States;
34 (5) For persons who served in any branch of the Armed
35 Forces of the United States, a report of separation;
36 (6) A Certificate of Degree of Indian or Alaska Native Blood
37 issued by the United States Government;
38 (7) A Certificate of Citizenship, Certificate of Naturalization,
39 Permanent Resident Card or Temporary Resident Card issued by the
40 United States Citizenship and Immigration Services of the
41 Department of Homeland Security;
42 (8) A Consular Report of Birth Abroad issued by the
43 Department of State;
44 (9) A document issued by the Department pursuant to NRS
45 483.375 or 483.8605; or



1 (10) Such other documentation as specified by the
2 Department by regulation; or

3 (b) Any two of the following documents:

4 (1) A driver's license issued by another state ~~[, the District of~~
5 ~~Columbia or any territory of the United States]~~ other than such a
6 driver's license described in subparagraph (2) of paragraph (a);

7 (2) A passport issued by a foreign government;

8 (3) A birth certificate issued by a foreign government;

9 (4) A consular identification card issued by the Government
10 of Mexico or a document issued by another government that the
11 Department determines is substantially similar; or

12 (5) Any other proof acceptable to the Department.

13 ↪ No document which is written in a language other than English
14 may be accepted by the Department pursuant to this subsection
15 unless it is accompanied by a verified translation of the document in
16 the English language.

17 3. Every applicant must prove his or her residence in this State
18 by displaying an original or certified copy of any two of the
19 following documents:

20 (a) A receipt from the rent or lease of a residence located in this
21 State;

22 (b) A record from a public utility for a service address located in
23 this State which is dated within the previous 60 days;

24 (c) A bank or credit card statement indicating a residential
25 address located in this State which is dated within the previous 60
26 days;

27 (d) A stub from an employment check indicating a residential
28 address located in this State;

29 (e) A document issued by an insurance company or its agent,
30 including, without limitation, an insurance card, binder or bill,
31 indicating a residential address located in this State;

32 (f) A record, receipt or bill from a medical provider indicating a
33 residential address located in this State; or

34 (g) Any other document as prescribed by the Department by
35 regulation.

36 4. Except as otherwise provided in subsection 5, a driver
37 authorization card or instruction permit obtained in accordance with
38 this section must:

39 (a) Contain the same information as prescribed for a driver's
40 license pursuant to NRS 483.340 and any regulations adopted
41 pursuant thereto;

42 (b) Be of the same design as a driver's license and contain only
43 the minimum number of changes from that design that are necessary
44 to comply with subsection 5; and



1 (c) Be numbered from the same sequence of numbers as a
2 driver's license.

3 5. A driver authorization card or instruction permit obtained in
4 accordance with this section must comply with the requirements of
5 section 202(d)(11) of the Real ID Act of 2005, Public Law 109-13,
6 Division B, Title II, 119 Stat. 302, 312-15, 49 U.S.C. § 30301 note.

7 6. Notwithstanding the provisions of NRS 483.380, every
8 driver authorization card:

9 (a) Expires on the fourth anniversary of the holder's birthday,
10 measured in the case of initial issuance or renewal from the birthday
11 nearest the date of issuance or renewal.

12 (b) Is renewable at any time before its expiration upon
13 application and payment of the required fee. The Department may,
14 by regulation, defer the expiration of the driver authorization card of
15 a person who is on active duty in the Armed Forces of the United
16 States upon such terms and conditions as it may prescribe. The
17 Department may similarly defer the expiration of the driver
18 authorization card of the spouse or dependent son or daughter of that
19 person if the spouse or child is residing with the person.

20 7. A driver authorization card shall not be used to determine
21 eligibility for any benefits, licenses or services issued or provided by
22 this State or its political subdivisions.

23 8. Except as otherwise provided in this section or by specific
24 statute, any provision of this title that applies to drivers' licenses
25 shall be deemed to apply to a driver authorization card and an
26 instruction permit obtained in accordance with this section.

27 **Sec. 5.** NRS 483.860 is hereby amended to read as follows:

28 483.860 1. Every applicant for an identification card must
29 furnish proof of his or her full legal name and age by presenting:

30 (a) An original or certified copy of the required documents as
31 prescribed by regulation; or

32 (b) A photo identification card issued by the Department of
33 Corrections pursuant to NRS 209.511.

34 2. The Director shall adopt regulations:

35 (a) Prescribing the documents an applicant may use to furnish
36 proof of his or her full legal name and age to the Department
37 pursuant to paragraph (a) of subsection 1, including, without
38 limitation, a document issued by the Department pursuant to NRS
39 483.375 or 483.8605; and

40 (b) Setting forth criteria pursuant to which the Department will
41 issue or refuse to issue an identification card in accordance with this
42 section to a person who is a citizen of a state ~~[, the District of~~
43 ~~Columbia, any territory of the United States]~~ or a foreign country.
44 The criteria pursuant to which the Department shall issue or refuse
45 to issue an identification card to a citizen of a foreign country must



1 be based upon the purpose for which that person is present within
2 the United States.

3 3. Notwithstanding any other provision of this section, the
4 Department shall not accept a consular identification card as proof
5 of the age or identity of an applicant for an identification card. As
6 used in this subsection, "consular identification card" has the
7 meaning ascribed to it in NRS 232.006.

8 **Sec. 6.** NRS 486.081 is hereby amended to read as follows:

9 486.081 1. Every application for a motorcycle driver's
10 license must be made upon a form furnished by the Department and
11 must be verified by the applicant before a person authorized to
12 administer oaths. Officers and employees of the Department may
13 administer those oaths without charge.

14 2. Every application must:

15 (a) State the full legal name, date of birth, sex, address of
16 principal residence and mailing address, if different from the
17 address of principal residence;

18 (b) Briefly describe the applicant;

19 (c) State whether the applicant has previously been licensed as a
20 driver, and, if so, when and by what state or country;

21 (d) State whether any such license has ever been suspended or
22 revoked, or whether an application has ever been refused, and, if so,
23 the date of and reason for such suspension, revocation or refusal;
24 and

25 (e) Give such other information as the Department requires to
26 determine the competency and eligibility of the applicant.

27 3. Every applicant shall furnish proof of his or her full legal
28 name and age by displaying an original or certified copy of the
29 required documents as prescribed by regulation.

30 4. The Department shall adopt regulations prescribing the
31 documents an applicant may use to furnish proof of his or her full
32 legal name and age to the Department, including, without limitation,
33 a document issued by the Department pursuant to NRS 483.375 or
34 483.8605.

35 5. Every applicant who has been assigned a social security
36 number must furnish proof of the social security number by
37 displaying:

38 (a) An original card issued to the applicant by the Social
39 Security Administration bearing the social security number of the
40 applicant; or

41 (b) Other proof acceptable to the Department, including, without
42 limitation, records of employment or federal income tax returns.

43 6. The Department may refuse to accept a driver's license
44 issued by another state, the District of Columbia , *the*
45 *Commonwealth of Puerto Rico, the United States Virgin Islands* or



1 ~~any~~ a territory *or insular possession* of the United States if the
2 Department determines that the other state, the District of Columbia
3 *, the Commonwealth of Puerto Rico, the United States Virgin*
4 *Islands* or the territory *or insular possession* of the United States
5 has less stringent standards than the State of Nevada for the issuance
6 of a driver's license.

7 7. With respect to any document that has expired:

8 (a) The Department may refuse to accept the document or refuse
9 to issue a driver's license to the person presenting the document, or
10 both; and

11 (b) If the document indicates that the person is authorized to
12 stay in the United States, the Department shall issue to the person
13 presenting the document a driver's license that is valid only during
14 the time the applicant is authorized to stay in the United States, or if
15 there is no definite end to the time the applicant is authorized to
16 stay, the driver's license is valid for 1 year beginning on the date of
17 issuance.

18 8. The Director shall adopt regulations setting forth criteria
19 pursuant to which the Department will issue or refuse to issue a
20 driver's license in accordance with this section to a person who is a
21 citizen of a state, the District of Columbia, ~~any~~ *the*
22 *Commonwealth of Puerto Rico, the United States Virgin Islands*
23 *or a territory or insular possession* of the United States or a foreign
24 country. The criteria pursuant to which the Department shall issue or
25 refuse to issue a driver's license to a citizen of a foreign country
26 must be based upon the purpose for which that person is present
27 within the United States.

28 9. Notwithstanding any other provision of this section, the
29 Department shall not accept a consular identification card as proof
30 of the age or identity of an applicant for a motorcycle driver's
31 license. As used in this subsection, "consular identification card"
32 has the meaning ascribed to it in NRS 232.006.

33 **Sec. 7.** This act becomes effective on July 1, 2019.

