

SENATE BILL NO. 17—COMMITTEE ON
GROWTH AND INFRASTRUCTURE

(ON BEHALF OF THE DEPARTMENT OF MOTOR VEHICLES)

PREFILED NOVEMBER 18, 2020

Referred to Committee on Growth and Infrastructure

SUMMARY—Revises provisions governing motor vehicles.
(BDR 43-319)

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

~

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

AN ACT relating to motor vehicles; revising provisions governing the renewal of certain instruction permits to operate a motor vehicle or motorcycle; revising the requirements to obtain a license to operate a school for training drivers; requiring the operator of such a school to maintain and make available to the Department of Motor Vehicles and the State of Nevada certain records, books and other information; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes the Department of Motor Vehicles to issue an instruction permit to an applicant to operate a motor vehicle or motorcycle. Before the issuance of such an instruction permit, the applicant is required to successfully pass all parts of an examination administered by the Department, other than a driving test. (NRS 483.280, 483.330) **Section 2** of this bill clarifies that an instruction permit to operate a motor vehicle may be renewed and requires an applicant for a renewal of an instruction permit to operate a motor vehicle or motorcycle to retake and successfully pass all parts of the examination administered by the Department, other than the driving test.

Existing law sets forth the requirements for licensure by the Department as an operator of a school for training drivers, including a requirement that the applicant maintain an established place of business. (NRS 483.710) Existing law provides that if a course of training provided by a school for training drivers consists in whole or in part of classroom instruction, the part of the course which consists of classroom instruction may be taught interactively through communications technology so that any person taking the course does not need to be physically



17 present in the classroom. (NRS 483.725) **Section 3** of this bill provides an
18 exception to the requirement to maintain an established place of business if the
19 course of training the applicant will provide consists in whole of classroom
20 instruction taught interactively through the use of communications technology.
21 **Section 1** of this bill requires a person operating a school for training drivers to: (1)
22 keep the books and records of the school at the principal place of business; and (2)
23 allow any authorized agent of the Department or the State of Nevada to request
24 such information for inspection. **Sections 4 and 5** of this bill make conforming
25 changes to indicate the appropriate placement of **section 1** in the Nevada Revised
26 Statutes.

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 *1. A person operating a school for training drivers shall keep*
4 *the books and records of the school at his or her principal place of*
5 *business.*

6 *2. A person operating a school for training drivers shall:*

7 *(a) Allow any authorized agent of the Department or the State*
8 *of Nevada to inspect and copy the books and records of the school*
9 *during usual business hours; or*

10 *(b) Not later than 3 business days after receiving a request*
11 *from an authorized agent described in paragraph (a) for the*
12 *production of the books and records or any other information,*
13 *provide the requested books, records and other information to the*
14 *authorized agent at the location specified in the request or by*
15 *means of electronic communication.*

16 *3. A person operating a school for training drivers shall*
17 *retain the books and records of the school for 3 years after he or*
18 *she ceases to be licensed as an operator of a school for training*
19 *drivers.*

20 **Sec. 2.** NRS 483.280 is hereby amended to read as follows:

21 483.280 1. Any person who is at least 15 1/2 years of age
22 may apply to the Department for an instruction permit. Except as
23 otherwise provided in subsections 4 and 5, the Department may, in
24 its discretion, after the applicant has successfully passed all parts of
25 the examination administered pursuant to NRS 483.330, other
26 than the driving test, issue to the applicant an instruction permit
27 entitling the applicant, while having the permit in his or her
28 immediate possession, to drive a motor vehicle, other than a
29 motorcycle, upon the highways for a period of 1 year when
30 accompanied by a licensed driver who is at least 21 years of age,
31 who has had at least 1 year of licensed driving experience in the
32 type of vehicle for which the permit was issued and who is actually



1 occupying a seat beside the driver. *A permit issued pursuant to this*
2 *subsection may be renewed pursuant to subsection 9.* The term
3 “licensed driving experience” as used in this subsection does not
4 include driving experience gained under an instruction permit issued
5 pursuant to the provisions of this section.

6 2. The Department may, in its discretion, issue a temporary
7 driver’s permit to an applicant for a driver’s license permitting the
8 applicant to drive a motor vehicle while the Department is
9 completing its investigation and determination of all facts relative to
10 the applicant’s right to receive a driver’s license. The permit must
11 be in the applicant’s immediate possession while driving a motor
12 vehicle, and is invalid when the applicant’s license has been issued
13 or for good cause has been refused.

14 3. The Department, upon receiving proper application, may, in
15 its discretion, issue a restricted instruction permit for the operation
16 of a motor vehicle, other than a motorcycle, effective for a school
17 year, or for a more restricted period, to an applicant who is enrolled
18 in a drivers’ education program which includes practice driving and
19 which is approved by the Department even though the applicant has
20 not reached the legal age to be eligible for a driver’s license. The
21 instruction permit entitles the permittee, when the permittee has the
22 permit in his or her immediate possession, to drive a motor vehicle
23 only on a designated highway or within a designated area, but only
24 when an approved instructor is occupying a seat beside the
25 permittee.

26 4. Any person who is at least 15 1/2 years of age and less than
27 18 years of age may apply to the Department for an instruction
28 permit authorizing the holder to operate a motorcycle. Except as
29 otherwise provided in subsection 8, the Department may, in its
30 discretion, after the applicant has successfully passed all parts of the
31 examination administered pursuant to NRS 483.330, other than
32 the driving test, issue to the applicant an instruction permit entitling
33 the applicant, while having the permit in his or her immediate
34 possession, to drive a motorcycle upon the highways for a period of
35 1 year. Except as otherwise provided in subsection 8, a permit
36 issued pursuant to this subsection may be renewed *pursuant to*
37 *subsection 9*, but expires when the holder of the permit attains the
38 age of 18 years.

39 5. A person who is 18 years of age or more may, not more than
40 once every 5 years, apply to the Department for an instruction
41 permit authorizing the holder to operate a motorcycle. Except as
42 otherwise provided in subsection 8, the Department may, in its
43 discretion, after the applicant has successfully passed all parts of the
44 examination administered pursuant to NRS 483.330, other than
45 the driving test, issue to the applicant an instruction permit entitling



1 the applicant, while having the permit in his or her immediate
2 possession, to drive a motorcycle upon the highways for a period of
3 6 months.

4 6. A holder of an instruction permit issued pursuant to
5 subsection 4 or 5, is entitled, while having the permit in his or her
6 immediate possession, to drive a motorcycle only during the hours
7 between sunrise and sunset, and may not:

8 (a) Carry any passengers; or

9 (b) Operate the motorcycle on a controlled-access highway.

10 7. Except as otherwise provided in subsection 8, an instruction
11 permit issued pursuant to subsection 5 may be renewed not more
12 than once. The holder of such a permit who allows the permit to
13 expire before applying to the Department for renewal of the permit,
14 if he or she does not hold a driver's license from this State, must
15 successfully pass all parts of the examination administered pursuant
16 to NRS 483.330, other than the driving test, to renew the instruction
17 permit.

18 8. A person who has failed the motorcycle driving test required
19 by the Department pursuant to NRS 483.330 two or more times may
20 not be issued an instruction permit pursuant to subsection 4 or 5.

21 *9. The Department may, in its discretion, after the applicant*
22 *has successfully retaken and passed all parts of the examination*
23 *administered pursuant to NRS 483.330, other than the driving test,*
24 *renew an instruction permit issued pursuant to subsection 1 or 4.*

25 **Sec. 3.** NRS 483.710 is hereby amended to read as follows:

26 483.710 **1.** An applicant for a license to operate a school for
27 training drivers must:

28 ~~[1.]~~ (a) Be of good moral character.

29 ~~[2.—Maintain]~~

30 (b) *Except as otherwise provided in subsection 2, maintain* an
31 established place of business ~~;~~

32 ~~—(a) That~~ *that* is open to the public ~~;~~

33 ~~—(b) That~~ *and that* is not within 200 feet of any building used by
34 the Department as an office. ~~;~~ ~~and~~

35 ~~—(c) Where the records of the school are maintained.~~

36 ~~—3.]~~ (c) Have the equipment necessary to give proper instruction
37 in the operation of motor vehicles.

38 ~~[4.]~~ (d) Be 21 years of age or older.

39 ~~[5.]~~ (e) Have at least 100 hours of experience as an instructor
40 operating vehicles with pupils at a school for training drivers, if the
41 school for which the applicant is applying for a license will provide
42 that training to pupils enrolled at the school.

43 ~~[6.]~~ (f) File with the Department a surety bond in the amount of
44 \$10,000 to the Department, executed by the applicant as principal
45 with a corporation authorized to transact surety business in this State



1 as surety. The bond must be continuous in form and conditioned that
2 the operator conduct the business of the school as an instructional
3 institution without fraud or fraudulent representation. Upon
4 application by an operator, the Department may reduce the amount
5 of the bond required to an amount not less than \$5,000 if the
6 operator has satisfactorily conducted the school for the 5 years
7 immediately preceding the application for reduction.

8 ***2. The provisions of paragraph (b) of subsection 1 do not***
9 ***apply if the course of training the applicant will provide consists in***
10 ***whole of classroom instruction that is taught interactively through***
11 ***the use of communications technology pursuant to subsection 2 of***
12 ***NRS 483.725.***

13 **Sec. 4.** NRS 483.760 is hereby amended to read as follows:

14 483.760 The Department may refuse to issue a license or may
15 cancel, suspend, revoke or refuse to renew any license granted
16 pursuant to NRS 483.700 to 483.780, inclusive ***Ⓡ***, ***and section 1 of***
17 ***this act:***

18 1. If the applicant or licensee makes a material misstatement on
19 an application.

20 2. If the applicant or licensee fails or refuses to provide any
21 information requested by the Department in conjunction with an
22 application.

23 3. If the applicant has been convicted of a crime for a violation
24 of any of the provisions of NRS 483.700 to 483.780, inclusive ***Ⓡ***,
25 ***and section 1 of this act.***

26 4. If the licensee permits fraud or engages in fraudulent
27 practices either with reference to the applicant or the Department or
28 induces or countenances fraud or fraudulent practices on the part of
29 any applicant for a driver's license.

30 5. If the licensee fails to comply with or is convicted of a crime
31 for a violation of any of the provisions of NRS 483.700 to 483.780,
32 inclusive, ***and section 1 of this act*** or any of the regulations or
33 requirements of the Department made pursuant thereto.

34 6. If the licensee or any employee or agent of the licensee
35 solicits persons for enrollment in a school for training drivers in an
36 office of the Department or within 200 feet of any such office.

37 7. If the licensee or any employee or agent of the licensee
38 follows the identical course of training which is used by the
39 Department in giving an examination for a driver's license.

40 **Sec. 5.** NRS 483.767 is hereby amended to read as follows:

41 483.767 1. The Department may impose an administrative
42 fine, not to exceed \$2,500, for a violation of any provision of NRS
43 483.700 to 483.780, inclusive, ***and section 1 of this act*** or any rule,
44 regulation or order adopted or issued pursuant thereto. The



1 Department shall afford to any person so fined an opportunity for a
2 hearing pursuant to the provisions of NRS 233B.121.

3 2. All administrative fines collected by the Department
4 pursuant to subsection 1 must be deposited with the State Treasurer
5 to the credit of the State Highway Fund.

6 3. In addition to any other remedy provided by NRS 483.700 to
7 483.780, inclusive, *and section 1 of this act*, the Department may
8 compel compliance with any provision of NRS 483.700 to 483.780,
9 inclusive, *and section 1 of this act* and any rule, regulation or order
10 adopted or issued pursuant thereto, by injunction or other
11 appropriate remedy and the Department may institute and maintain
12 in the name of the State of Nevada any such enforcement
13 proceedings.

14 **Sec. 6.** This act becomes effective on July 1, 2021.

