

Senate Bill No. 17–Committee on
Growth and Infrastructure

CHAPTER.....

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



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

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

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

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

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

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

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

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

483.280 1. Any person who is at least 15 1/2 years of age may apply to the Department for an instruction permit. Except as otherwise provided in subsections 4 and 5, the Department may, in its discretion, after the applicant has successfully passed all parts of the examination administered pursuant to NRS 483.330, other than the driving test, issue to the applicant an instruction permit entitling the applicant, while having the permit in his or her immediate possession, to drive a motor vehicle, other than a motorcycle, upon the highways for a period of 1 year when accompanied by a licensed driver who is at least 21 years of age, who has had at least 1 year of licensed driving experience in the type of vehicle for which the permit was issued and who is actually occupying a seat beside the driver. *A permit issued pursuant to this subsection may be renewed pursuant to subsection 9.* The term “licensed driving experience” as used in this subsection does not include driving experience gained under an instruction permit issued pursuant to the provisions of this section.



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

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

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

5. A person who is 18 years of age or more may, not more than once every 5 years, apply to the Department for an instruction permit authorizing the holder to operate a motorcycle. Except as otherwise provided in subsection 8, the Department may, in its discretion, after the applicant has successfully passed all parts of the examination administered pursuant to NRS 483.330, other than the driving test, issue to the applicant an instruction permit entitling the applicant, while having the permit in his or her immediate possession, to drive a motorcycle upon the highways for a period of 6 months.



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

- (a) Carry any passengers; or
- (b) Operate the motorcycle on a controlled-access highway.

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

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

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

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

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

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

~~2.] Maintain]~~

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

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

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

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

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

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

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

~~6.]~~ (f) File with the Department a surety bond in the amount of \$10,000 to the Department, executed by the applicant as principal with a corporation authorized to transact surety business in this State as surety. The bond must be continuous in form and conditioned that



the operator conduct the business of the school as an instructional institution without fraud or fraudulent representation. Upon application by an operator, the Department may reduce the amount of the bond required to an amount not less than \$5,000 if the operator has satisfactorily conducted the school for the 5 years immediately preceding the application for reduction.

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

