

**PROPOSED REGULATION OF THE DIRECTOR
OF THE DEPARTMENT OF MOTOR VEHICLES**

LCB File No. R144-10

October 6, 2010

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

AUTHORITY: §§1-8, NRS 481.051, 483.220, 483.370 and 483.880; §9, NRS 481.051, 483.220 and 483.880; §10, NRS 481.051, 483.220 and 483.370.

A REGULATION relating to the Department of Motor Vehicles; providing procedures for the application for and issuance of a duplicate instruction permit, driver's license or identification card by mail and, if available, through the Internet or at a kiosk; providing a process for obtaining an additional duplicate instruction permit, driver's license or identification card if the first duplicate is not received; providing for the expiration date of a duplicate instruction permit, driver's license or identification card; and providing other matters properly relating thereto.

Section 1. Chapter 483 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 8, inclusive, of this regulation.

Sec. 2. *The provisions of sections 2 to 8, inclusive, of this regulation apply to a person who is applying for a duplicate instruction permit, driver's license or identification card by mail and, if available, through the Internet or at a kiosk.*

Sec. 3. 1. *A person may apply by mail for not more than two duplicate instruction permits, driver's licenses or identification cards per calendar year.*

2. *Each application for a duplicate instruction permit, driver's license or identification card by mail must include the applicant's:*

- (a) Full legal name;*
- (b) Date of birth;*
- (c) Social security number;*
- (d) Mailing address in this State and the address of residence in this State;*
- (e) Mailing address outside this State, if the applicant is temporarily outside of this State and requests the card to be mailed to an alternate address;*
- (f) Physical description, including, without limitation, the applicant's height and weight and the color of the applicant's hair and eyes;*
- (g) Mother's maiden name; and*
- (h) Signature.*

3. Each application for a duplicate instruction permit, driver's license or identification card by mail must be:

- (a) Accompanied by the applicable fees required by NRS 483.410, 483.820 and 483.910 and NAC 483.900; and*
- (b) Mailed or otherwise delivered to the Department of Motor Vehicles, 555 Wright Way, Carson City, Nevada 89711-0450, Attention: Central Services and Records Division, Renewal by Mail Section.*

4. The Department will, within 10 business days after receiving an application:

- (a) Process the application and cause a duplicate instruction permit, driver's license or identification card to be produced and mailed to the applicant;*
- (b) Request additional information from the applicant; or*
- (c) Deny the application.*

Sec. 4. 1. *If the Department has established a process for applying for a duplicate instruction permit, driver's license or identification card through the Internet or at a kiosk, a person may apply through the Internet or at a kiosk for not more than two duplicate instruction permits, driver's licenses or identification cards per calendar year.*

2. *Each application for a duplicate instruction permit, driver's license or identification card through the Internet or at a kiosk must include the applicant's:*

(a) *Full legal name as it appears on the instruction permit, driver's license or identification card;*

(b) *Social security number;*

(c) *Date of birth; and*

(d) *Mailing address.*

3. *Each application for a duplicate instruction permit, driver's license or identification card through the Internet or at a kiosk must be accompanied by the applicable fees required by NRS 483.410, 483.820 and 483.910 and NAC 483.900.*

4. *The Department will, within 10 business days after receiving an application pursuant to this section:*

(a) *Process the application and cause a duplicate instruction permit, driver's license or identification card to be produced and mailed to the applicant;*

(b) *Request additional information from the applicant; or*

(c) *Deny the application.*

Sec. 5. 1. *The holder of an instruction permit, driver's license or identification card is not eligible to apply for a duplicate instruction permit, driver's license or identification card, as applicable, by mail, through the Internet or at a kiosk if:*

(a) The person is a seasonal resident;

(b) The person holds an instruction permit, driver's license or identification card issued pursuant to paragraph (b) of subsection 6 of NRS 483.290;

(c) Except as otherwise provided in NRS 483.347, the person wishes to change any information which appears on the front of the instruction permit, driver's license or identification card; or

(d) The person holds a commercial driver's license, and the medical evaluation signed by a physician certifying that the person is able to operate a commercial motor vehicle on file with the Department has expired.

2. *As used in this section, "seasonal resident" has the meaning ascribed to it in NAC 481.005.*

Sec. 6. *The Department will deny an application for a duplicate instruction permit, driver's license or identification card which was submitted by mail, through the Internet or at a kiosk and require the applicant to apply in person at an office of the Department if:*

1. *The Department determines that, pursuant to section 5 of this regulation, the person is not eligible to apply for a duplicate instruction permit, driver's license or identification card by mail, through the Internet or at a kiosk;*

2. *The applicant applied for the duplicate instruction permit, driver's license or identification card by mail, and the Department cannot verify the applicant's identity by*

comparing the applicant's signature on the application with the signature on the current instruction permit, driver's license or identification card;

3. The applicant applied for the duplicate instruction permit, driver's license or identification card through the Internet or at a kiosk, and the Department cannot verify the applicant's identity;

4. Except as otherwise provided in NRS 483.347, the Department has not obtained the digital image and signature of the applicant required for the production of a duplicate instruction permit, driver's license or identification card;

5. An electronic verification of the person's social security number shows the information concerning the person is expired or has changed and must be updated by presenting additional documentation to the Department;

6. The status of the instruction permit, driver's license or identification card is any status other than valid; or

7. The mailing address provided by the applicant does not match the current mailing address for the applicant on file with the Department.

Sec. 7. *1. If, not less than 4 weeks after the Department causes a duplicate instruction permit, driver's license or identification card to be produced and mailed, an applicant notifies the Department that he or she has not received the instruction permit, driver's license or identification card, and the Department determines that the current mailing address of the applicant is the mailing address that the applicant listed on his or her application, the Department will charge and collect the fee required by NAC 483.900 and cause an additional*

instruction permit, driver's license or identification card to be produced and mailed to the applicant.

2. If an applicant notifies the Department pursuant to subsection 1 that he or she has not received the duplicate instruction permit, driver's license or identification card, and the Department determines that the mailing address of the applicant listed on the application is not the current mailing address of the applicant, the applicant must apply to the Department in person for a change of address by completing the required application and submitting any necessary documentation to the Department.

Sec. 8. *1. A duplicate instruction permit, driver's license or identification card is valid until the expiration date on the instruction permit, driver's license or identification card that is being replaced.*

2. A person who applies for a duplicate instruction permit, driver's license or identification card by mail, through the Internet or at a kiosk and who requests express delivery service of the duplicate instruction permit, driver's license or identification card must pay to the Department the actual costs of that service.

Sec. 9. NAC 483.087 is hereby amended to read as follows:

483.087 1. An identification card for which a renewed identification card has been produced is valid until:

- (a) The identification card expires; or
- (b) The renewed identification card is lost, stolen or destroyed.

2. If a renewed identification card is lost, stolen or destroyed, the holder of the renewed identification card must apply ~~[in person to the Department]~~ for a ~~[new]~~ *duplicate* identification card ~~[. The new identification card expires on the same date as the renewed identification card.~~

~~—3.— The Department will charge and collect] and pay the [fee] fees prescribed for a duplicate identification card . [set forth in NRS 483.820 for an identification card that is issued pursuant to subsection 2.~~

~~—4.]~~ 3. A person who applies for a renewal of his or her identification card by mail and who requests express delivery service of the identification card must pay to the Department the actual costs of that service.

Sec. 10. NAC 483.455 is hereby amended to read as follows:

483.455 1. A driver's license which is renewed by mail is valid until:

- (a) The license expires pursuant to NAC 483.445; or
- (b) The license is lost, stolen or destroyed.

2. If a driver's license which was renewed by mail is lost, stolen or destroyed, the licensee must apply ~~[in person to the Department]~~ for a ~~[new]~~ *duplicate* driver's license ~~[. The new driver's license expires on the same date as the driver's license which was renewed by mail.~~

~~—3.— The Department will charge and collect] and pay the [fee] fees prescribed for a duplicate driver's license . [in NRS 483.410 for a driver's license issued pursuant to subsection 2.]~~