



Department of Public Safety/Nevada Rider Motorcycle Safety Program Regulations Adoption

The Department of Public Safety has begun the process to adopt regulations for the “Program for Education of Motorcycle Riders” also known as the Nevada Rider Motorcycle Safety Program.

The authority for the Director to adopt regulations is found in NRS Chapter 486.372.1 (d). The Director also has the authority to adopt standards and procedures for the licensing of instructors for the Program. This authority is found in NRS Chapter 486.375.3.

NRS 486.372 Program for Education of Motorcycle Riders: Establishment; Administrator; approval of courses of instruction; rules and regulations; contracts for services; Account to pay expense of Program.

1. The Director shall:
 - a) Establish the Program for the Education of Motorcycle Riders.
 - b) Appoint an Administrator to carry out the Program.
 - c) Approve courses of instruction provided by public or private organizations which comply with the requirements established for the Program.
 - d) **Adopt rules and regulations which are necessary to carry out the Program.**

NRS 486.375 Qualifications of instructor; standards for licensing instructors.

1. A person who:
 - a) Is a resident of this State or is a member of the Armed Forces of the United States stationed at a military installation located in Nevada;
 - b) Is at least 21 years old;
 - c) Holds a motorcycle driver’s license or a motorcycle endorsement to a driver’s license issued by the Department;
 - d) Has held a motorcycle driver’s license or endorsement for at least 2 years; and
 - e) Is certified as an instructor of motorcycle riders by a nationally recognized public or private organization which is approved by the Director, may apply to the Department for a license as an instructor for the Program.
2. The Department shall not license a person as an instructor if, within 2 years before the person submits an application for a license:
 - a) The person has accumulated three or more demerit points pursuant to the uniform system of demerit points established pursuant to [NRS 483.473](#), or has been convicted of traffic violations of comparable number and severity in another jurisdiction; or
 - b) The person’s driver’s license was suspended or revoked in any jurisdiction.
3. **The Director shall adopt standards and procedures for the licensing of instructors for the Program.**



A benefit to adopting regulations is it can be used as a tool for fostering better understanding of legal requirements between an agency and those subject to the law administered by the agency and it can remove uncertainty or ambiguity in the law.

In general, the following steps must be completed when adopting regulations:

- Discuss the content or purpose of the proposed regulation with the agency head with rulemaking authority. Draft the language or determine what regulation changes are needed.
- Consider the impact of the regulation on small businesses, solicit feedback “to determine whether the regulation is likely to impose a direct and significant economic burden upon a small business or directly restrict the formation, operation or expansion of a small business” and prepare a small business impact statement.
- Conduct at least one workshop with interested persons to discuss the general topics addressed in the regulation.
- Send needed regulation language to the Legislative Counsel for drafting the proposed regulations.
- Conduct a hearing for public comment.
- Evaluate and consider written and oral public comment on the proposed regulations. If it is determined that changes are needed the draft regulation will be amended.
- Prepare statements and forms and file together with the draft regulations with the Legislative Counsel.
- After approval by the Legislative Commission or Subcommittee to Review Regulations, the Legislative Counsel will file the regulations with the Secretary of State.

The link below gives you access to the Department of Public Safety draft. This draft may not be the final draft presented at the public hearing but it will be used for the purposes of soliciting feedback at the public workshop.

<https://nevadarider.com/>

Participation in the rulemaking process by interested members of the public is a central theme of the procedural requirements of the Administrative Procedure Act. (See NRS 233B.061)

If you wish to be notified of dates, times and locations of the workshop or hearing, please send an email to TSafety@dps.state.nv.us with the subject line “Motorcycle Regulations”. Note: If you do not get a return email acknowledging your request within two business days, please call (775) 684-7480.

Since the rulemaking process is highly structured and must be transparent to the public, you may attend the workshop and/or hearing to ask questions or make comments. Comments for or against any certain section and the reason why are especially welcome. If you prefer, you may email comments or questions on any section of the draft to: TSafety@dps.state.nv.us with the subject line “Motorcycle Regulations Comments”. If you do not get a return email within two business days notifying you that your comment or question has been received, please call (775) 684-7480. All emailed comments will be read into the official record during the public workshop or hearing. Any question you have emailed will be answered during the public workshop or hearing.



There will be one public workshop conducted in Carson City. The workshop will be video conference with a Las Vegas meeting room. For those in other parts of the State, a call-in telephone number will be provided.