

Regulations Pertaining to the Licensure, Teaching/Coaching, Rights, Rules and Conduct of a Licensed DPS Instructor of Motorcycle Safety

A REGULATION relating to motorcycles; prescribing the duties of the Administrator of the Program for the Education of Motorcycle Riders; prescribing certain authorized expenses of the Program; providing for the approval and regulation of providers of courses of instruction in motorcycle education for the Program; providing for the licensure and regulation of instructors for the Program; prescribing rules of conduct for a licensed instructor for the Program; and providing other matters properly relating thereto.

Existing law requires the Program to be taught by a licensed instructor. (NRS 486.374) Existing law also prescribes qualifications for licensure as an instructor. (NRS 486.375) **NAC 486 sections 370 to 395** describe the rules and duties of a DPS licensed Motorcyclist Safety Instructor, also known as a Rider Coach. Please review and sign at the bottom of this document acknowledging that you understand the content and agree to follow the rules below.

NAC 486.370 License as instructor for Program: Application; interview of applicant under certain circumstances; grounds for denial; notice of incomplete application. ([NRS 486.372](#), [486.375](#))

1. Each applicant for licensure as an instructor for the Program must provide to the Department in the form prescribed by the Department:

(a) Proof acceptable to the Department that the applicant meets the qualifications for licensure prescribed in [NRS 486.375](#);

(b) The applicant's:

- (1) Full legal name;
- (2) Date of birth;
- (3) Motorcycle driver's license number or number of his or her driver's license that has a motorcycle endorsement; and

(4) Address of principal residence;

(c) A copy of the driving record of the applicant for the 10 years immediately preceding the date on which he or she submits the application;

(d) A signed document attesting that the applicant will comply with the rules of conduct set forth in [NAC 486.395](#);

(e) Proof acceptable to the Department that the applicant is certified in the administration of cardiopulmonary resuscitation and:

- (1) Trained in the administration of first aid; or
- (2) Certified in another area approved by the Administrator;

(f) Proof acceptable to the Department that the applicant is physically able to safely operate a motorcycle and train others in the operation of a motorcycle;

(g) Written consent authorizing the Department to conduct a background investigation of the applicant to verify compliance with the requirements prescribed in [NRS 486.375](#); and

(h) Any other information concerning the applicant that the Department considers necessary to determine whether the applicant is qualified for licensure.

2. If the Department determines it is in the best interest of the State, a representative of the Department may interview an applicant to evaluate his or her knowledge, skill, ability and fitness to receive a license as an instructor for the Program.

3. The Department may deny an application for a license as an instructor for the Program:

(a) If the applicant is convicted of:

- (1) A felony in this State or any other jurisdiction;
- (2) A crime involving fraud, deceptive trade practices, dishonesty or moral turpitude in this State or any other jurisdiction; or
- (3) A sexual offense, as defined in [NRS 179D.097](#), in this State or any other jurisdiction.

(b) For any other reason that the Department determines is in the best interest of the State.

4. If the Department determines that an application for licensure as an instructor for the Program is incomplete, the Department will notify the applicant that the application is incomplete and authorize the applicant to submit any information or documentation required to complete the application. An applicant must submit any information or documentation required to complete the application within 14 calendar days after receipt of such notice.

(Added to NAC by Dep't of Pub. Safety by R129-18, eff. 1-21-2021)

NAC 486.375 License as instructor for Program: Non-transferrable; authorized scope of teaching; period of validity; issuance of duplicate; duty of licensee to notify Administrator of certain changes in contact information. ([NRS 486.372](#), [486.375](#))

1. A license issued pursuant to [NAC 486.370](#):

- (a) Is not transferrable;
- (b) Authorizes a licensee to teach a course of instruction in motorcycle education for the Program; and
- (c) Is valid for 2 years.

2. The Department will issue a duplicate license if a licensee submits a request on a form prescribed by the Department.

3. A licensee shall notify the Administrator of a change of address, electronic mail address, telephone number or other contact information within 30 calendar days after the change.

(Added to NAC by Dep't of Pub. Safety by R129-18, eff. 1-21-2021)

NAC 486.380 License as instructor for Program: Application for renewal; notice of incomplete application. ([NRS 486.372](#), [486.375](#))

1. To renew a license issued pursuant to [NAC 486.370](#), a licensee must submit to the Department:

(a) A completed application for renewal on a form provided by the Department;

(b) Except as otherwise provided in subsection 2, proof acceptable to the Department that the licensee attended any training event required by the Department for instructors for the Program;

(c) Proof acceptable to the Department that the licensee meets the qualifications prescribed in [NRS 486.375](#);

(d) A signed document attesting that the licensee will comply with the rules of conduct set forth in [NAC 486.395](#); and

(e) Proof acceptable to the Department that the licensee is certified in the administration of cardiopulmonary resuscitation and:

(1) Trained in the administration of first aid; or

(2) Certified in another area approved by the Administrator.

2. The Department may, for good cause shown, grant a waiver of the requirement prescribed in paragraph (b) of subsection 1.

3. If the Department determines that an application for renewal is incomplete, the Department will notify the licensee that the application is incomplete and authorize the licensee to submit any required information or documentation to complete the application. If an applicant fails to submit any required information or documentation on or before the expiration date of his or her license, the Department will suspend the license until the application is complete and the Department renews the license.

(Added to NAC by Dep't of Pub. Safety by R129-18, eff. 1-21-2021)

NAC 486.385 License as instructor for Program: Grounds for suspension, revocation or refusal to renew; issuance of new license after revocation. ([NRS 486.372](#), [486.375](#))

1. The Department may suspend, revoke or refuse to renew any license issued pursuant to [NAC 486.370](#) if:

(a) The licensee:

(1) Is no longer certified in the administration of cardiopulmonary resuscitation and:

(I) Trained in the administration of first aid; or

(II) Certified in another area approved by the Administrator;

(2) Had a license suspended or revoked by the Department and not reissued or reinstated for any cause;

(3) Fails to attend any required training event sponsored by the Program unless the Department grants a waiver pursuant to subsection 2 of [NAC 486.380](#);

(4) Is convicted of:

(I) A felony in this State or any other jurisdiction;

(II) A crime involving fraud, deceptive trade practices, dishonesty or moral turpitude in this State or any other jurisdiction; or

(III) A sexual offense, as defined in [NRS 179D.097](#), in this State or any other jurisdiction;

(5) Willfully fails to comply with any directive issued by the Department;

(6) Fails to cooperate with the Department in any investigation;

(7) Makes any changes to the course materials, curriculum or standards developed by the curriculum organization without written approval from the Department and the curriculum organization; or

(8) Issues a course completion card to a student who does not successfully complete a course of instruction in motorcycle education, including, without limitation, a student who completes a course that is different than the course indicated on the completion card.

(b) The Department determines that:

(1) The licensee knowingly made a false or misleading statement or concealed a material fact in connection with his or her application for the license;

(2) The licensee taught a course of instruction in motorcycle education when the licensee has consumed any alcohol or drug, except for a medication that does not affect his or her ability to teach the course;

(3) The licensee knowingly allowed a student who is not, in the determination of the licensee, reasonably physically or mentally capable of operating a motorcycle safely to participate in a course of instruction on motorcycle education;

(4) The licensee is no longer physically able to safely operate a motorcycle and train other persons in the operation of a motorcycle;

(5) The licensee willfully violated a rule of conduct set forth in [NAC 486.395](#); or

(6) Suspending, revoking or refusing to renew the license of the applicant is in the best interest of the public.

2. The Department will suspend or revoke a license issued pursuant to [NAC 486.370](#) if the licensee no longer meets the qualifications prescribed by [NRS 486.375](#).

3. If the Department revokes the license of an instructor, the Department will not issue to that person a new license as an instructor for the Program until 1 year after the date on which the license was revoked.

4. For the purposes of this section, the failure of a licensee to comply with a directive of the Department shall be deemed to be willful if the licensee fails to comply with the directive within 10 days after the licensee's receipt of the directive.

(Added to NAC by Dep't of Pub. Safety by R129-18, eff. 1-21-2021)

NAC 486.390 License as Instructor for Program: Written petition for hearing after notice of suspension, revocation or refusal to renew; date and procedures for hearing; notice of denial of petition. ([NRS 486.372](#), [486.375](#))

1. The holder of a license issued pursuant to [NAC 486.370](#) may, within 14 calendar days after receipt of a notice of the suspension or revocation of, or the refusal to renew, the license, petition the Department in writing for a hearing conducted by a hearing officer of the Department.

2. If the request for a hearing is granted:
 - (a) A date for the hearing must be fixed not later than 30 days after the receipt of the request for hearing or as soon thereafter as practicable; and
 - (b) The Department will appoint a hearing officer who was not involved in the decision of the Department to suspend, revoke or refuse to renew the license or any investigation relating to this decision.
3. If the request for a hearing is denied, the petitioner will be notified in writing, stating the reason for the denial.
4. Evidence offered at the hearing that the hearing officer determines is not material or relevant to the determination of issues at the hearing must not be considered.
5. The hearing must be conducted in accordance with the procedures set forth in [chapter 233B](#) of NRS.
6. Within 30 days after the hearing, the hearing officer of the Department shall make a final determination.

(Added to NAC by Dep't of Pub. Safety by R129-18, eff. 1-21-2021)

NAC 486.395 License as Instructor for Program: Duties of licensee. ([NRS 486.372](#), [486.375](#)) An instructor who has been issued a license pursuant to [NAC 486.370](#) shall:

1. Teach a course of instruction in motorcycle education to persons enrolled in the Program in a manner that complies with the requirements prescribed in [NRS 486.374](#) and any policies or standards prescribed by a curriculum organization.
2. Maintain a positive environment for enrolled students.
3. Teach in a manner that fosters interactive learning.
4. Evaluate and coach students during the on-cycle instruction in a course of instruction to ensure students meet learning objectives.
5. Ensure the safety of students enrolled in a course of instruction to the highest degree practicable.
6. Demonstrate safe habits by wearing protective gear when riding a motorcycle during a course of instruction, to and from such a course, or to and from any activity at which the instructor represents the Program. Such protective gear must include, without limitation:
 - (a) A full-face or three-quarter helmet that complies with the safety standards adopted by the United States Department of Transportation;
 - (b) Leather or other abrasion-resistant full-fingered gloves;
 - (c) Eye protection, including, without limitation, a face shield, goggles or glasses;
 - (d) Sturdy, long pants that fully cover the legs;
 - (e) Long sleeves; and
 - (f) Sturdy, over-the-ankle shoes or boots.
7. Operate a motorcycle on a frequent basis outside of teaching a course of instruction.

8. Refrain from operating a vehicle or motorcycle while under the influence of alcohol or a substance as prohibited by [NRS 484C.110](#).

9. Discontinue any behavior the Administrator determines is negative or injurious to the carrying out of the purpose of the Program or creates a likelihood of confusion, mistake or deception to the public.

10. While he or she is instructing a course of instruction or otherwise representing the Program, conduct himself or herself in a professional manner, including, without limitation, maintaining an appropriate appearance, using appropriate language, delivering positive verbal and written messages, being positive in interactions with persons and refraining from behavior that could be construed as intimidating or threatening.

11. Refrain from presenting himself or herself as speaking on behalf of the Program when addressing a public policy forum or taking a public position on issues relating to safety or legislation. Nothing in this subsection shall be construed to prohibit an instructor from speaking to the media, participating in the legislative process or any legal process, expressing his or her opinion as a private citizen or serving as an expert witness regarding motorcycle safety issues.

(Added to NAC by Dep't of Pub. Safety by R129-18, eff. 1-21-2021)

I have read and agree to abide by the terms and conditions as stated in NAC

486.370 through 395.

Instructor/Rider Coach _____ . initial

Name (print) **MSF RiderCoach #**

Signature **Date**