

SENATE BILL NO. 192—SENATOR SETTELMAYER

MARCH 9, 2021

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to concealed firearms. (BDR 15-633)

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

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

AN ACT relating to concealed firearms; providing a person who holds a permit to carry a concealed firearm the choice to obtain a driver’s license or identification card containing a designation that the person holds such a permit; authorizing the Department of Motor Vehicles to establish regulations relating to such drivers’ licenses and identification cards; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law generally prohibits a person from carrying concealed upon his or her person any firearm unless the person is authorized to do so because he or she holds a permit to carry a concealed firearm or is otherwise exempt from such a prohibition. (NRS 202.350) Existing law also provides for the issuance of such a permit to carry a concealed firearm and sets forth the eligibility for such a permit, the process for the application for such a permit, and all other requirements governing such a permit. (NRS 202.3653-202.369)

Section 1 of this bill provides a person who holds a permit to carry a concealed firearm and who is eligible to hold a driver’s license or identification card issued by the Department of Motor Vehicles the choice to obtain a driver’s license or identification card from the Department containing a designation that the person holds such a permit. **Section 5** of this bill makes a conforming change to reflect this change in **section 1**.

Section 1 also provides that a person does not need to pay a fee to obtain the designation unless a new driver’s license or identification card needs to be issued, in which case the person must pay the prescribed renewal fee for a driver’s license or identification card. **Section 4** of this bill makes a conforming change to reflect this change in **section 1**.



19 Finally, **section 1** authorizes the Department of Motor Vehicles to adopt any
20 necessary regulations to carry out the provisions of that section. **Section 6** of this
21 bill makes a conforming change to reflect this change in **section 1**.

22 **Section 2** of this bill makes a conforming change to indicate that **section 1** will
23 be codified in the sections of the Nevada Revised Statutes relating to concealed
24 firearms.

25 Existing law provides that: (1) a permittee must carry his or her permit, or a
26 duplicate permit, together with proper identification whenever the permittee is in
27 actual possession of a concealed firearm and must present both if requested by a
28 peace officer; and (2) a permittee who fails to comply with such requirements is
29 subject to a civil penalty of \$25 for each violation. (NRS 202.3667) **Section 3** of
30 this bill provides that if a permittee obtains a driver's license or identification card
31 containing the designation, the permittee may: (1) carry only the driver's license or
32 identification card when the permittee is in actual possession of a concealed
33 firearm, in lieu of carrying both a permit and proper identification; and (2) present
34 the driver's license or identification card, in lieu of presenting both a permit and
35 proper identification, if requested by a peace officer.

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

1 **Section 1.** Chapter 202 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *1. If a person is issued a permit and is eligible to hold a*
4 *driver's license or identification card issued by the Department of*
5 *Motor Vehicles pursuant to the provisions of NRS 483.010 to*
6 *483.630, inclusive, or 483.810 to 483.890, inclusive, as applicable,*
7 *the person may obtain a driver's license or identification card*
8 *from the Department of Motor Vehicles containing the*
9 *designation "CCW."*

10 *2. Except as otherwise provided in this subsection, the*
11 *Department of Motor Vehicles shall not charge a fee for placing*
12 *the designation pursuant to subsection 1 on a driver's license or*
13 *identification card. If the Department of Motor Vehicles*
14 *determines that the designation cannot be placed on an existing*
15 *driver's license or identification card and that a new driver's*
16 *license or identification card containing the designation must be*
17 *issued, a person must pay the prescribed fee for the renewal of a*
18 *driver's license or identification card pursuant to NRS 483.410 or*
19 *483.820, as applicable, when he or she obtains the new driver's*
20 *license or identification card.*

21 *3. The Department of Motor Vehicles may adopt such*
22 *regulations as are necessary to carry out the provisions of this*
23 *section.*

24 **Sec. 2.** NRS 202.3653 is hereby amended to read as follows:

25 202.3653 As used in NRS 202.3653 to 202.369, inclusive, *and*
26 *section 1 of this act*, unless the context otherwise requires:



1 1. "Concealed firearm" means a loaded or unloaded handgun
2 which is carried upon a person in such a manner as not to be
3 discernible by ordinary observation.

4 2. "Department" means the Department of Public Safety.

5 3. "Handgun" has the meaning ascribed to it in 18 U.S.C. §
6 921(a)(29).

7 4. "Permit" means a permit to carry a concealed firearm issued
8 pursuant to the provisions of NRS 202.3653 to 202.369, inclusive [§]
9 , *and section 1 of this act.*

10 **Sec. 3.** NRS 202.3667 is hereby amended to read as follows:

11 202.3667 1. *Except as otherwise provided in subsection 2:*

12 (a) Each permittee shall carry the permit, or a duplicate issued
13 pursuant to the provisions of NRS 202.367, together with proper
14 identification whenever the permittee is in actual possession of a
15 concealed firearm [§]; *and*

16 (b) Both the permit and proper identification must be presented
17 if requested by a peace officer.

18 2. *If a permittee obtains a driver's license or identification*
19 *card containing the designation pursuant to section 1 of this act,*
20 *the permittee may:*

21 (a) *Carry only the driver's license or identification card when*
22 *the permittee is in actual possession of a concealed firearm, in lieu*
23 *of carrying both a permit and proper identification as described in*
24 *paragraph (a) of subsection 1; and*

25 (b) *Present the driver's license or identification card, in lieu of*
26 *presenting both a permit and proper identification as described in*
27 *paragraph (b) of subsection 1, if requested by a peace officer.*

28 3. A permittee who violates the provisions of this section is
29 subject to a civil penalty of \$25 for each violation.

30 **Sec. 4.** NRS 202.368 is hereby amended to read as follows:

31 202.368 All fees collected pursuant to the provisions of NRS
32 202.3653 to 202.369, inclusive, *other than any fees collected by the*
33 *Department of Motor Vehicles pursuant to the provisions of*
34 *section 1 of this act,* must be deposited with the county treasurer of
35 the county in which the fees are collected and:

36 1. If the county has a metropolitan police department created
37 pursuant to chapter 280 of NRS, credited to the general fund of that
38 metropolitan police department; or

39 2. If the county does not have a metropolitan police department
40 created pursuant to chapter 280 of NRS, credited to the general fund
41 of that county.

42 **Sec. 5.** NRS 202.3683 is hereby amended to read as follows:

43 202.3683 The State or any political subdivision of the State,
44 the Department [§] *of Public Safety, the Department of Motor*
45 *Vehicles,* a sheriff, law enforcement agency, firearm safety or



1 training instructor or any other person who, in good faith and
2 without gross negligence, acts pursuant to the provisions of NRS
3 202.3653 to 202.369, inclusive, *and section 1 of this act*, is immune
4 from civil liability for those acts. Such acts include, but are not
5 limited to, the receipt, review or investigation of an application for a
6 permit, the certification of a retired law enforcement officer, or the
7 issuance, denial, suspension, revocation or renewal of a permit.

8 **Sec. 6.** NRS 202.369 is hereby amended to read as follows:

9 202.369 The Department may adopt such regulations as are
10 necessary to carry out the provisions of NRS 202.3653 to 202.369,
11 inclusive ~~[]~~, *other than the provisions of section 1 of this act.*

12 **Sec. 7.** 1. This section becomes effective upon passage and
13 approval.

14 2. Sections 1 to 6, inclusive, of this act become effective:

15 (a) Upon passage and approval for the purpose of adopting any
16 regulations and carrying out any other preparatory administrative
17 tasks that are necessary to carry out the provisions of this act; and

18 (b) On January 1, 2022, for all other purposes.

