

APPENDIX B3

NEVADA REVISED STATUTE 484 TRAFFIC LAWS

NRS 484.37943 Evaluation and treatment for alcohol or drug abuse: Evaluation of certain offenders; evaluation to be conducted at evaluation center; exceptions; offender to pay cost of evaluation.

1. If a person is found guilty of a first violation, if the concentration of alcohol in the defendant's blood or breath at the time of the offense was 0.18 or more, or any second violation of [NRS 484.379](#) within 7 years, the court shall, before sentencing the offender, require an evaluation of the offender pursuant to subsection 3, 4 or 5 to determine whether he is an abuser of alcohol or other drugs.

2. If a person is convicted of a first violation of [NRS 484.379](#) and he is under 21 years of age at the time of the violation, the court shall, before sentencing the offender, require an evaluation of the offender pursuant to subsection 3, 4 or 5 to determine whether he is an abuser of alcohol or other drugs.

3. Except as otherwise provided in subsection 4 or 5, the evaluation of an offender pursuant to this section must be conducted at an evaluation center by:

(a) An alcohol and drug abuse counselor who is licensed or certified pursuant to [chapter 641C of NRS](#) to make that evaluation; or

(b) A physician who is certified to make that evaluation by the board of medical examiners, who shall report to the court the results of the evaluation and make a recommendation to the court concerning the length and type of treatment required for the offender.

4. The evaluation of an offender who resides more than 30 miles from an evaluation center may be conducted outside an evaluation center by a person who has the qualifications set forth in subsection 3. The person who conducts the evaluation shall report to the court the results of the evaluation and make a recommendation to the court concerning the length and type of treatment required for the offender.

5. The evaluation of an offender who resides in another state may, upon approval of the court, be conducted in the state where the offender resides by a physician or other person who is authorized by the appropriate governmental agency in that state to conduct such an evaluation. The offender shall ensure that the results of the evaluation and the recommendation concerning the length and type of treatment for the offender are reported to the court.

6. An offender who is evaluated pursuant to this section shall pay the cost of the evaluation. An evaluation center or a person who conducts an evaluation in this state outside an evaluation center shall not charge an offender more than \$100 for the evaluation.

(Added to NRS by 1993, 2890; A 1995, 420; 1997, 134; 1999, [1885](#), [2451](#), [3073](#); 2001, [172](#))