



**NATIONAL TRANSPORTATION SAFETY BOARD
OFFICE OF HIGHWAY SAFETY
WASHINGTON, D.C.**

DRIVER'S LICENSING FACTUAL REPORT

NORTH LAS VEGAS, NEVADA – HWY22FH004

A. CRASH INFORMATION

Refer to the *Crash Information and Crash Summary Report* in the docket for this investigation.

B. DRIVER'S LICENSING GROUP

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C. DETAILS OF THE DRIVER'S LICENSING INVESTIGATION

1. State of Nevada Driver's Licensing

The driver of the Challenger was a 59-year-old male. He held a valid class "C" Nevada driver's license expiring July 18, 2028, at the time of the crash. This driver was killed in this crash. The driver's record will be discussed in a later section of this report

1.1. Demerit Point System

Many states have demerit point systems in place to classify traffic violations and determine when a driver's license will be suspended. Other states, including Wyoming, Washington, and Rhode Island, use a moving violation system, where a driver will be suspended after a certain number of moving violations within a set time period, usually one year.

The Nevada DMV operates an extensive demerit point system as part of their driver improvement program.¹ Each traffic violation is assigned a certain number of demerit points. The

¹ Nevada Department of Motor Vehicles, Driver's Licensing. [Demerit Point System \(nv.gov\)](https://www.nv.gov/dmv/driver-licensing/demerit-point-system)

points are based on the severity of the violation, ranging from 1 point for minor violations to 8 points for an extremely serious traffic violation. For example, speeding less than 10 mph over the speed limit is assigned 1 demerit point. Reckless driving, defined as operating a vehicle with willful or wonton disregard of the safety of persons or property, is assigned the maximum of 8 demerit points. In addition to the demerit points, a driver convicted of reckless driving can be fined and face a possible 6-month jail sentence.

Once a driver reaches 12 demerit points in any 12-month period, that driver is suspended for 6 months. The suspension increases to 1 year for the second accumulation within 3 years of 12 demerit points during a 12-month period. During these suspension periods, drivers are eligible to apply for a restricted license.

If a driver is suspended a third time within 5 years for accumulating 12 demerit points during a 12-month period, their license is suspended for 1 year, and they are not eligible for restricted driving privileges.

Drivers who have accumulated 3 or more demerit points may complete an approved course of traffic safety to have not more than 3 demerit points canceled from their record. Drivers may attend a course only once in 12 months for the purpose of reducing demerit points. Any reduction of demerit points applies only to the demerit record of the driver and does not affect the person's driving record.

Demerit points for a violation are deleted when 12 months have elapsed from the date of conviction, however, the convictions remain part of a driver's permanent record.

Certain serious driving offenses will result in suspension outside of the demerit system. These offenses include vehicular manslaughter, driving under the influence, and failure to stop and render aid in the event of a crash resulting in the death or bodily injury of another.

1.2. Challenger Driver Record

The Challenger driver's record shows a history of speeding violations, driving under suspension, and driving under the influence convictions. In 1984, he was arrested twice for driving under the influence in Indiana. In Nevada, he was convicted five times for driving while license suspended, had three speeding convictions, and one conviction each for failing to signal, failing to obey traffic devices, and driving without liability insurance. His license was suspended from 12/25/2017 until 01/08/2020 for failure to make required payment of fines and costs. However, at the time of the crash, his official 10-year driving record had only one moving violation documented, a speeding ticket issued 04/26/2017, and he had no active demerit points. The demerit points for this ticket would have dropped from his record 12 months after his conviction. Examples of violations which would be listed in the 10-year driving record would be speeding, driving under the influence, and failure to obey traffic control devices. The 10-year record also contained the above noted license suspension which ended in January 2020.

NTSB investigators located evidence that the driver had received additional traffic citations that were not yet documented on his record. Court payment receipts from both the North Las Vegas Municipal Court and the Las Vegas Municipal Court were found in the Challenger. These receipts listed two different case numbers, indicating separate offenses. One citation was a guilty plea for

a basic speeding violation of 1 – 10 miles per hour over the posted speed limit, dated December 9, 2021. This ticket is not reflected on his Official Nevada Driving Record. The other was a receipt from the Las Vegas Municipal Court dated December 28, 2021, which showed a guilty plea for speeding 16-20 miles per hour over the limit. This ticket was also not reflected on his Official Nevada Driving Record nor had the 2 demerit points been assigned for this offense.

Aside from these two recent offenses, there is no evidence of additional violations or convictions that did not appear on the official driving record.

D. DOCKET MATERIAL

The following attachments are included in the docket for this investigation:

LIST OF ATTACHMENTS

Driver's License Attachment – Driver's Ten-Year License Record

END OF REPORT

Brian Bragonier
Lead Investigator