



The Biggest Confidence Game in History

SUPPOSE that the only way
to get a driver's license,
is to go to the DMV and
declare yourself to be an alien!*

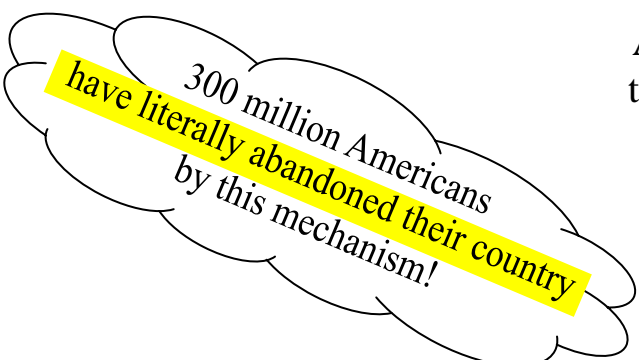
Well, that's what you did.

DRIVER'S LICENSE

Are you really **required**
to have a driver's license ?

REGISTRATION

Are you really **required**
to register your vehicle ?



300 million Americans
have literally abandoned their country
by this mechanism!

There **IS NO LAW** that requires "the People",
the "native born Citizens", to get license and registration.
In fact, the DMV is **prohibited** from issuing a driver's license
or ID card to anyone that is not a "resident" foreigner!

The short answers from the Nevada Revised Statutes are ...

DRIVER'S LICENSE

YES, a license is required **IF YOU OPERATE** a vehicle that is making a “**use of the highways ... in a gainful occupation thereon**”.

So, Reader, *are YOU out there making money* by your use of the public highways? THEN you need a license as a “driver” **for that use**, but not any other use. If you are **NOT** making money, then you don't need a license.***

REGISTRATION

YES, registration is required **IF YOU OWN** a vehicle that is making a “**use of the highways by vehicles in a gainful occupation thereon**”.

So, are you the *OWNER of a vehicle that is out there making money* by its use of the public highways? THEN that vehicle must be registered, **for that use**, but not any other use. If you are **NOT** making money, then your vehicle is not required to be registered.***

In fact, the NRS include this EXEMPTION, quote: “**the provisions of [the statutes] do not apply to: ... Any person engages in transporting the person's own personal effects in the person's own vehicle.**”

*** Keep in mind that you or your vehicle *could* be involved in “gainful occupation” in one hour, but not in the next hour (or *all* the rest of your life).

OH! But there IS one class of person that CAN be required to get driver's licenses and CAN be required to register their vehicles, purely because of their *political status* and *without regard* to “use”. They are called “residents**”.**

We will talk about the two topics, “gainful purpose” and “residents”.

GETTING STARTED ... INTRODUCTION

These topics necessarily involve the Nevada Revised Statutes, so we will have to examine **some** of the NRS text and *figure out* what it means. We must also factor in a couple of elements of the Nevada Constitution and four cases from the Supreme Court of the United States of America. This will be kept to a minimum, but we must understand what is going on. [The extent of this is regrettable, but, *hey*, if this was easy, someone would have figured this out long ago This is going to be like a Sherlock Holmes mystery.]

The NRS contain some 18,000 pages, organized in 757 Chapters. We are particularly interested in Chapter 482, Motor Vehicles ..., Chapter 483, Driver's Licenses ... and Chapter 706, Motor Carriers. These chapters are all tied together and cross reference one another. There are a total of **62 cross references** between the 3 chapters.

Chapter 482 references Chapter 706 **24 times**

Chapter 483 references Chapter 482 **6 times**

Chapter 483 references Chapter 706 **2 times**

Chapter 706 references Chapter 482 **26 times**

Chapter 706 references Chapter 483 **4 times**

And there are pertinent words and phrases scattered across **17** different chapters of the NRS. The NRS is a system of statutes which, to a degree, have to be read together, and not as separate chapters.

“gainful purpose”

WHAT DOES THE LEGISLATURE INTEND

The NRS contains “Legislative declarations” in all three of these chapters. These Legislative declarations **expressly tell us WHO** is to be licensed and regulated. These declarations also tells us **WHO** is **NOT** intended to be licensed and regulated:

NRS 482.316 Legislative declaration; license issued to vehicle transporter revocable privilege. The purpose of **licensing vehicle transporters** is to protect the public health and safety and the general welfare of the people of this State. Any license issued pursuant to NRS 482.316 to 482.3175, inclusive, is a revocable **privilege** and a holder of such a license does not acquire thereby any vested right. [emphasis added]

So, are you a “vehicle transporter” to be licensed? OR ARE YOU a member of “the people”? “The people” are beneficiaries of this legislation. “The people” ARE NOT intended to be licensed under this Legislative declaration and the statutes that implement it.

And, by the way, the license is a “privilege” and all procedures and rule-making dealing with license qualification, fees, issuance, withholding, revocation, suspension, etc. are all aspects of the administration of a “privilege”.

NRS 482.318 Legislative declaration. The Legislature finds and declares that **the distribution and sale of motor vehicles** in the State of Nevada vitally affects the general economy of the State and the public interest and the public welfare, and in the exercise of its police power, it is necessary **to regulate and to license** [1] **motor vehicle manufacturers**, [2] **distributors**, new and used [3] **vehicle dealers**, [4] **brokers**, [5] **rebuilders**, [6] **leasing companies**, [7] **salespersons**, and **their representatives doing business** in the State of Nevada in order to prevent frauds, impositions and other abuse upon its citizens. [emphasis and bracketed text added]

Are you involved in “the distribution and sale of motor vehicles”? Are you any of 1, 2, 3, 4, 5, 6 or 7 above, “doing business”, persons and conduct to be licensed and regulated? OR ARE YOU a “citizen”. “Citizens” ARE NOT intended to be licensed and regulated under this Legislative declaration and the statutes that implement it.

NRS 483.810 Legislative findings and declaration. The Legislature finds and declares that:

1. A need exists in this State for **the creation of a system of identification for:**
 - (a) **Residents** • • • [emphasis added]

Are you a “**resident**”, the object of a legislative “system of identification”? We will have MUCH more to say about “residents” later. No beneficiary is identified in this Legislative declaration.

NRS 706.151 Legislative declaration of purpose.

1. It is hereby declared to be the **purpose and policy of the Legislature** in enacting this chapter:

(a) Except to the extent otherwise provided in NRS 706.881 to 706.885, inclusive, to confer upon the Authority the power and to make it the duty of the Authority **to regulate** fully regulated carriers, operators of tow cars and brokers of regulated services to the extent provided in this chapter and to confer upon the Department of Motor Vehicles the power **to license all motor carriers** and to make it the duty of the Department of Motor Vehicles and the Department of Public Safety **to enforce** the provisions of this chapter and the regulations adopted by the Authority pursuant to it, to relieve the undue burdens on the highways arising by reason of the **use of the highways by vehicles in a gainful occupation thereon**.

(b) **To provide** for reasonable **compensation for the use of the highways in gainful occupations**, and enable the State of Nevada, by using license fees, to provide for the proper construction, maintenance and repair thereof, and thereby protect the safety and welfare of the traveling and shipping public in their use of the highways.

• • •

2. **All of the provisions of this chapter must be administered and enforced with a view to carrying out the declaration of policy contained in this section.** [emphasis added]

So, are you a “motor carrier”, to be licensed, regulated and enforced upon? OR ARE YOU a member of “the traveling and shipping public”? “The traveling and shipping public”, i.e. YOU, are the *beneficiaries* of that licensing and regulation of the motor carriers who “use the highways in a gainful occupation”. “The traveling and shipping public” ARE NOT intended to be licensed, regulated and enforced upon under this Legislative declaration. “The traveling and shipping public” get *their* use of the highways **WITHOUT** being licensed and regulated. The licensing and regulation is to “protect the safety and welfare” of YOU, and **NOT to force YOU** into that system of licensing and regulation.

Executive law enforcement employees (i.e., police, Highway Patrol, etc.) are granted NO AUTHORITY under the Legislative declarations of NRS Chapters 482, 483 or 706, by use of force, jail, etc., to compel *the People, the Citizens, and the traveling public* to get license and registration !!

By the way, did you notice that NRS 706-151 1 (b) says that the Legislature intends that “license fees” “for the use of the highways in gainful occupations” are going to pay for “the proper construction, maintenance and repair” of the highways. **Gainful users of the highways are going to pay for the highways! NOT the People, the Citizens, or the traveling public!**

Chapter 483 DOES allow “residents” to get identification cards, **if** the resident “applies” for *that privilege*, but application is NOT compulsory. The “resident” must *self-apply for the privilege card*.

“Residents” are a special case. We are going to find that “residents” **are NOT members** of “the People”, “the Citizens” nor “the traveling public”, the beneficiaries of all this licensing and regulation. That is to say, “residents” are not beneficiaries; on the contrary, they are just another class of subjects of all this licensing and regulation, just like “gainful users”.

More on “residents” later.

SO, WHO IS ACTUALLY REQUIRED TO GET A DRIVER’S LICENSE?

The following citations are the result of a computer search of the 18,000 pages of the NRS. You can see the requirements in the sections indicated. Emphasis has been added to help you spot who is actually required.

Also, right here might be a good place to point out that NRS 483.230 2 states that the driver’s license *is a “privilege”*. And NRS 482.368 6 refers to the “*privilege* of registering vehicles”. These are **privileges**.

Here is a summary of **persons** that are required below **to have a driver’s license**: 1) children’s services field administrators **transporting children**, 2) **residents**, 3) **driving instructors** for automobiles, 4) **driving instructors** for motorcycles, and 5) **taxicab drivers**. *That’s it!*

So, are you a taxicab driver? Are you a driving instructor or transporting children for a government agency? **That only leaves “residents”**. We’re going to talk about “residents” extensively below. For now, **NOTE** that NRS 483.250 says that if you are not a resident, the DMV is **PROHIBITED** from issuing you a driver’s license!

CHAPTER 432A -- SERVICES AND FACILITIES FOR CARE OF CHILDREN

NRS 432A.420 Duties of field administrator: Transportation of clients; number of staff required; equipment for vehicle ...

1. A field administrator shall: ...
2. When transporting a client:

(a) The driver of the vehicle **must hold a current driver’s license** ...

CHAPTER 483 - DRIVERS’ LICENSES;

NRS 483.245 License issued by this state required when person becomes resident; issuance; reciprocal agreements with other states.

1. When a person *becomes* a resident of Nevada as defined in this chapter and chapter 482 of NRS **he must**, within 30 days, **obtain a Nevada driver’s license as a prerequisite** to driving any *motor* vehicle ...

ON THE OTHER HAND:

NRS 483.250 Issuance of license to certain persons **prohibited**; exceptions. The Department shall **not issue any license** pursuant to the provisions of NRS 483.010 TO 483.630, inclusive:

7. **To any person who is not a resident** of this State.

NRS 483.720 Requirements for licensure as instructor for school. An applicant for a license as **an instructor** for a school for **training drivers must**:

4. **Hold a valid Nevada driver’s license**; and ...

EDUCATION AND SAFETY OF MOTORCYCLE RIDERS

NRS 486.373 Program for Education of Motorcycle Riders: **Eligibility**; fee.

1. A **resident** of this state **who holds a motorcycle driver’s license** or a motorcycle endorsement to a driver’s license or who is eligible to apply for such a license or endorsement **may enroll** in the Program.

NRS 486.375 Qualifications of instructor; standards for licensing instructors.

1. A person who:

(c) **Holds a motorcycle driver’s license** or a motorcycle endorsement to a driver’s license issued by the Department;

CHAPTER 706 - MOTOR CARRIERS

Regulation of Drivers

NRS 706.8841 Driver’s permit: Issuance; fingerprints and qualifications ...

1. The Administrator shall issue a driver’s permit to qualified **persons who wish to be employed** by certificate holders **as taxicab drivers**. Before issuing a driver’s permit, the Administrator shall:

(b) **Require proof that the applicant**:

(1) **Has been a resident** of the State **for 30 days** before the application for a permit;

(3) **Has a valid license** issued under NRS 483.325 which authorizes the applicant to drive a taxicab in this State.

NRS 706.8843 Conditions of employment of driver by holder of certificate.

1. A certificate holder **shall not employ a driver unless the driver has obtained** and has on the driver’s person:

(a) **A valid driver’s license** for the State of Nevada obtained under the provisions of NRS 483.010 TO 483.630, inclusive;

NRS 706.8849 Prohibited and required acts of drivers; ...

1. A **taxicab driver shall**:

(i) **Not operate a taxicab without** a valid driver’s permit issued pursuant to NRS 706.8841 **and a valid driver’s license** issued pursuant to NRS 483.325 ...

A further **NOTE** is this: Imbedded in a definition at NRS 706.137 is a “description” of a “driver”, as:

NRS 706.137 “Transportation of household goods” defined.

3. ... through the use of a rented or other vehicle not owned by the shipper which is **driven by someone** associated with an entity **that has a commercial or financial interest in providing services** related to the movement of household goods ...

This “description” provides a “concept” of a “driver”, merely as “*someone*”, although it does not identify a particular person. **THIS “SOMEONE” is the “driver”**; the “person”, who “shall not drive any motor vehicle ... unless such person has a valid license as a driver”, because of his “association” with a “gainful purpose”, even if he is not paid.

WHAT IS A "MOTOR" VEHICLE

We have a strong CLUE to the meaning of "motor vehicle" from an outside source, Title 18 of the United States Code, defining "motor vehicle" shown on the following page. **It could hardly be more clear** that a "motor vehicle" is one that is **"used for commercial purposes"**, (i.e., a "gainful purpose").

In Title 18, "use" is determinative to the meaning of "motor vehicle".

CHAPTER 2—AIRCRAFT AND MOTOR VEHICLES

Sec.

31. Definitions.
32. Destruction of aircraft or aircraft facilities.
33. Destruction of motor vehicles or motor vehicle facilities.
34. Penalty when death results.
35. Imparting or conveying false information.
36. Drive-by shooting.
37. Violence at international airports.

HISTORICAL AND STATUTORY NOTES

Amendments	Pub.L. 103-322, Title VI, § 60021(b),
1994 Amendments, Pub.L. 103-322,	Sept. 13, 1994, 108 Stat. 1980, added
Title VI, § 60008(c), Sept. 13, 1994, 108	item 37.
Stat. 1972, added item 36.	

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§ 31. Definitions

When used in this chapter the term—

"Aircraft engine", "air navigation facility", "appliance", "civil aircraft", "foreign air commerce", "interstate air commerce", "landing area", "overseas air commerce", "propeller", "spare part" and "special aircraft jurisdiction of the United States" shall have the meaning ascribed to those terms in sections 40102(a) and 46501 of title 49.

"Motor vehicle" means every description of carriage or other contrivance propelled or drawn by mechanical power and used for commercial purposes on the highways in the transportation of passengers, passengers and property, or property or cargo;

"Destructive substance" means any explosive substance, flammable material, infernal machine, or other chemical, mechanical, or

radioactive device or matter of a combustible, contaminative, corrosive, or explosive nature;

“Used for commercial purposes” means the carriage of persons or property for any fare, fee, rate, charge or other consideration, or directly or indirectly in connection with any business, or other undertaking intended for profit;

“In flight” means any time from the moment all the external doors of an aircraft are closed following embarkation until the moment when any such door is opened for disembarkation. In the case of a forced landing the flight shall be deemed to continue until competent authorities take over the responsibility for the aircraft and the persons and property on board; and

“In service” means any time from the beginning of preflight preparation of the aircraft by ground personnel or by the crew for a specific flight until twenty-four hours after any landing; the period of service shall, in any event, extend for the entire period during which the aircraft is in flight.

(Added July 14, 1956, c. 595, § 1, 70 Stat. 538, and amended Oct. 12, 1984, Pub.L. 98-473, Title II, §§ 1010, 2013(a), 98 Stat. 2141, 2187; Nov. 18, 1988, Pub.L. 100-690, Title VII, § 7015, 102 Stat. 4395; July 5, 1994, Pub.L. 103-272, § 5(e)(1), 108 Stat. 1373.)

HISTORICAL AND STATUTORY NOTES

Revision Notes and Legislative Reports passengers and property;” in the defini-

In the Nevada Revised Statutes, this commercial use is NOT so clear at all. In fact, it is fairly well concealed! One might say, it is hidden in plain sight. But the simple fact is, it is *not even* in plain sight. One has to *deduce* the above meaning within the NRS by discovering the meaning of yet *another* term, “transporting”, as used in Chapter 706.

But that “gainful” meaning IS IN the NRS. We will just have to work to find it. However, if one didn’t already know what we were looking for, who would ever do that work! That is part of what this booklet is about.

We find the following definition in Chapter 706:

NRS 706.096 “Motor vehicle” defined. “Motor vehicle” means every vehicle which is self-propelled, but not operated on rails, used upon a highway for the purpose of **transporting** persons or property. [emphasis added]

The “use” IS there, but the “gainful” meaning is virtually invisible. **The key is in the meaning of “transporting”.**

Compare this Chapter 706 definition with the definition of the same term in Chapter 482 (supposedly the motor vehicle chapter):

NRS 482.075 “Motor vehicle” defined. “Motor vehicle” means every vehicle as defined in NRS 482.135 which is self-propelled.

NOTE that there is no “use” component. These two definitions of the same term **are different!** And, the NRS 482.075 definition is MUCH further obscured by referring the reader to yet another definition, NRS 482.135:

NRS 482.135 “Vehicle” defined. Except as otherwise provided in NRS 482.36348, “vehicle” means every device in, upon or by which any person or property is or may be transported or drawn upon a public highway. The term does not include:

1. Devices moved by human power or used exclusively upon stationary rails or tracks;
2. Mobile homes or commercial coaches as defined in chapter 489 of NRS; or
3. Electric personal assistive mobility devices.

If you examine all these definitions together, you will *still* not get the “commercial use” we know we are looking for.

There is another clue in the following definition, IF YOU ALREADY KNEW what you were looking for:

NRS 482.080 “Nonresident” defined. “Nonresident” means every person who is not a resident of this State, **and who does not use his or her motor vehicle for a gainful purpose.** [emphasis added]

Of all places, this reference to “use ... for a gainful purpose” is in Chapter 482 instead of Chapter 706, and it is in the definition of “nonresident”. We have already seen in Chapter 483 that if you are not a resident (i.e., a “nonresident”), the DMV is **prohibited** from issuing you a driver’s license. Now, in the chapter on registration of motor vehicles, to be a “nonresident”, you must not only be “not a resident”, you must also not use your vehicle for a gainful purpose.

NOW, THE FOLLOWING is the gymnastics you have to go through in the Nevada Revised Statutes to reach the meaning of “motor vehicle” AS “use for a gainful purpose”; that is, “use for a commercial purpose”, which, in Title 18 “means the carriage of persons or property for any fare, fee, rate, charge or other consideration, or directly or indirectly in connection with any business, or other undertaking intended for profit”.

Chapter 706 is all about “motor carriers”. You find in that chapter “common motor carriers”, “contract motor carriers”, “private motor carriers”, and “taxicab motor carriers”. Of all the universe of persons or property that could be regulated as “carriage ... for profit”, Chapter 706 specifically focuses on *just one* kind of product: “household goods”, probably because this is the lowest common denominator for personal use across the population.

Following are two definitions and an exemption. The meaning of “motor vehicle” as well as “transportation” can be seen *in the difference* between the definitions of “household goods” and “transportation of household goods” and the exemption:

NRS 706.085 “Household goods” defined. “Household goods” means personal effects and property used or to be used in a dwelling which are part of the equipment or supply of the dwelling and such other similar property as the Authority may provide by regulation. The term does not include property **moving** from a factory or store, except property that the householder has purchased with the intent to use in the householder’s dwelling and that is transported at the request of, and the transportation charges paid to the carrier by, the householder.

NRS 706.137 “Transportation of household goods” defined. “Transportation of household goods” means the transportation by **motor vehicle** of household goods between places within this State including:

1. The **movement** of household goods;
2. Any combination of packing, loading and unloading, incident to the **movement** of household goods; and
3. Any **movement** of household goods accomplished through the use of a rented or other **vehicle** not owned by the shipper which is **driven by someone** associated with an entity **that has a commercial or financial interest in providing services** related to the **movement** of household goods which are being **transported**. [emphasis added]

These NRS code sections *distinguish* between merely “moving” personal effects, and “transporting” them where the “transportation charges” are “paid to the carrier”, i.e., USE of a vehicle for commercial purposes, to accomplish the movement. The vehicle *becomes* a “motor” vehicle, *by this commercial use*.

NRS 706.736 Exemption of certain vehicles and transportation from provisions regulating certain motor carriers; applicability of certain provisions.

1. Except as otherwise provided in subsection 2, **the provisions of NRS 706.011 to 706.791, inclusive, do not apply to: . . .**

(b) **Any person engaged in transporting the person’s own personal effects in the person’s own vehicle**, but the provisions of this subsection do not apply to any person engaged in transportation by vehicle of property sold or to be sold, or used by the person in the furtherance of any commercial enterprise other than as provided in paragraph (d), or to the carriage of any property for compensation.

A person moving their own stuff in their own vehicle **IS EXEMPT** from these statutes, unless the movement is paid for!

PUTTING IT ALL TOGETHER . . .

A vehicle is a “motor” vehicle ONLY IF it is used for compensation; i.e., used for a “gainful purpose”, and only for the duration of that use. It could be a “motor” vehicle during one hour, and NOT a “motor” vehicle the next hour (or ever again).

A vehicle is just a vehicle, and NOT a “motor” vehicle, if it is owned by you and used by you to move *your own stuff*.

You are a “driver” of a “motor” vehicle ONLY IF it is used for a “gainful purpose”, and you are a “driver” only during the time of that use. You could be a “driver” during one hour, and NOT a “driver” the next hour (or ever again).

You are NOT a “driver” if you are “in the person’s own vehicle” and moving “the person’s own personal effects”, and NOT for compensation.

There IS one Catch-22. If you are a “resident”, then use does not matter. If you are a “resident”, or if you *become* a “resident”, the statutes say you *must* have a driver’s license AS IF YOU WERE A DRIVER, and you *must* register your vehicle AS IF IT WERE A MOTOR VEHICLE, in USE for a gainful purpose.

Now we will look at “resident”.

SO, ARE YOU A “RESIDENT”

You might think that “resident” means “anyone who lives here”. **You would be wrong!** That is **NOT**, repeat, **NOT** what the statutes say.

We saw above, in NRS 483.250, that if you are “not a resident”, then the DMV is **PROHIBITED** from issuing a driver’s license (*a privilege*) to you.

NRS 482.385, on vehicle registration, says, in part:

NRS 482.385 Registration of vehicle of nonresident owner not required; . . .

1. . . . a nonresident owner of a vehicle of a type subject to registration . . . **may operate . . . the vehicle** within this State **without its registration . . . and without the payment of any registration fees** to this State.

So nonresidents ARE NOT REQUIRED to register their vehicles. (Reader, consider the phrase “vehicle of a type subject to registration”, which appears repeatedly. What type of vehicle IS subject? It doesn’t really tell you. The statutes make you determine this for yourself, and leaves you to make the wrong *presumption*. The type of vehicle that is subject to registration is the vehicle in USE for a “gainful purpose”.)

This ENTIRE PROGRAM of licensing and registration IS COMPLETELY DEPENDENT upon whether or not you are a “resident”.

We also saw above that the Legislative declarations concerning licensing, regulation and enforcement were all for the benefit of “the People”, “the Citizens”, “the traveling public”. It seems pretty clear that the Legislature *did not intend* to be licensing and regulating these classes of people.

So, *is there a legal difference* between a “resident” and the “People”, the “Citizen”?

We need to get to the bottom of this “resident” issue.

MATERIAL DISTINCTION BETWEEN CITIZENSHIP AND MERE RESIDENCE

“Citizen” and “resident” are terms used in the Constitution of The United States of America. The meaning of these terms was FIXED, IN THE LAW, upon ratification of that instrument by the People on March 4, A.D. 1789. The meaning and relation of these terms have been discussed at length in a line of Supreme Court cases dealing with citizenship; The Venus, 12 U.S. 253 (1814), Scott v. Sanford, 60 U.S. 393 (1856) and Fong Yue Ting v. United States, 149 U.S. 698 (1883), all more than 100 years ago.

“There is a material distinction between *citizenship* and mere *residence* or *domicil*”. “An *alien* may be permitted to *reside* in a country in which he can possess *no civil or political rights*, or of which he is *neither a citizen nor a subject*.” See Scott, page 482.

“Residents” or “domiciles” “enjoy only the advantages which the laws or custom gives them. ... These are a kind of **citizens of an inferior order**.” See The Venus, page 291.

The Nevada Constitution, at Article 1, Sec. 16, granted *just such* an advantage to foreigners EXACTLY as described in the previous paragraph. To paraphrase, “Foreigners who ... become ... residents ... shall enjoy the same rights ... as native born Citizens.”

SO, ARE YOU a foreigner (let’s be clear, **this means an alien**), in your own country, OR ARE YOU a “native born Citizen”. This is a *very serious matter*.

To see the *complete political and civil disability* of a mere resident or domicile, we need to look at the detail in Fong Yue Ting. **The Supreme Court said, and it is the law of the land**, that “Congress has the right to provide a system of registration and identification of any class of aliens within the country, and to take all proper means to carry out that system.” “It is an accepted maxim of international law that every sovereign nation has the power ... to forbid the entrance of foreigners within its dominions, or to admit them only in such cases and upon such conditions as it may see fit to prescribe.” [underlining added]

“Upon such conditions”, taken to the limit, means that **ANY conditions** can be prescribed !

“... it appears to be impossible to hold that a [resident foreigner] acquired ... any right ... to be and remain in this country except by the license, permission, and sufferance of Congress ...”. **Reader, is your right to be and remain in your own country only by license, permission, and at the sufferance of your own government !?!**

“... it will surprise most people to learn that any such dangerous and despotic power lies in our Government – a power which will authorize it to expel at pleasure, in time of peace, the whole body of friendly foreigners of any country domiciled therein by its permission; a power which can ... be enforced without regard to the guaranties of the Constitution ...”. [Underlining added]

Clearly, for “residents”, **ANY conditions can be prescribed, without regard to the Constitution !!**

And the last quote from Fong Yue Ting: “**If applied to a citizen, none of the Justices of this Court would hesitate a moment to pronounce it illegal.**”

THIS is the “material distinction between *citizenship* and mere *residence* or *domicil*”, and **IT IS HUGE**.

Foreigners and Citizens are at opposite ends of the political spectrum. **Foreigners have NO rights**, but may “enjoy only the advantages which the laws and custom *gives* them” (a gift, a grant, a *privilege*), and any of this is still WITHOUT regard to the State or National Constitutions. In absolute contrast, **Citizens have ALL rights and powers**, except what the Citizens have delegated to their agent, the government, and all of this is PROTECTED by the State and National Constitutions. Government is **NOT** the agent of foreigners (i.e., **aliens**). (Frankly, **for residents, for aliens that merely reside among the People**, this state of affairs is a recipe for totalitarian government!)

SO, WHEN the DMV asks you, “**Are you a resident?**”, what are they asking?

They are asking:

- are you a “person” that is an alien? That is, the “person” the Supreme Court discussed in Fong Yue Ting as a “resident” and that the Nevada Constitution identifies in Article 1, Sec. 16 as a “foreigner” who “may become” a “resident”?

- are you a “person” that is neither a citizen nor a subject?

- are you a “person” that has no civil or political rights, because of your alienage?

- are you the above “person” and have you been *merely residing* among the People for 30 days? **so that you are now legally considered a “resident” under international law?**

- are you making a declaration that you are the above “person”, a resident, in order “to obtain privileges not ordinarily extended to nonresidents”?

The DMV is asking, “**Is this who you are?**”, because the state needs to know if you are to be *treated like an alien!*

NRS 483.820, regarding identification cards, provides that:

NRS 483.820 Persons entitled to card; fees.

1. A person who applies for an identification card in accordance with the provisions of NRS 483.810 to 483.890, inclusive, and who is not ineligible to receive an identification card pursuant to NRS 483.861, **is entitled to receive an identification card if the person is:**

(a) **A resident** ••• [emphasis added]

This is EXACTLY “a system of registration and identification of any class of aliens [residing] within the country” decreed in Fong Yue Ting.

NRS 483.230, regarding licensing of “drivers”, provides that:

NRS 483.230 **Licensing of drivers required; vehicle being towed; possession of more than one license prohibited.**

1. Except persons expressly exempted in NRS 483.010 to 483.630, inclusive, **a person shall not drive any motor vehicle** upon a highway in this State **unless such person has a valid license as a driver** under the provisions of NRS 483.010 to 483.630, inclusive, for the type or class of vehicle being driven. [emphasis added]

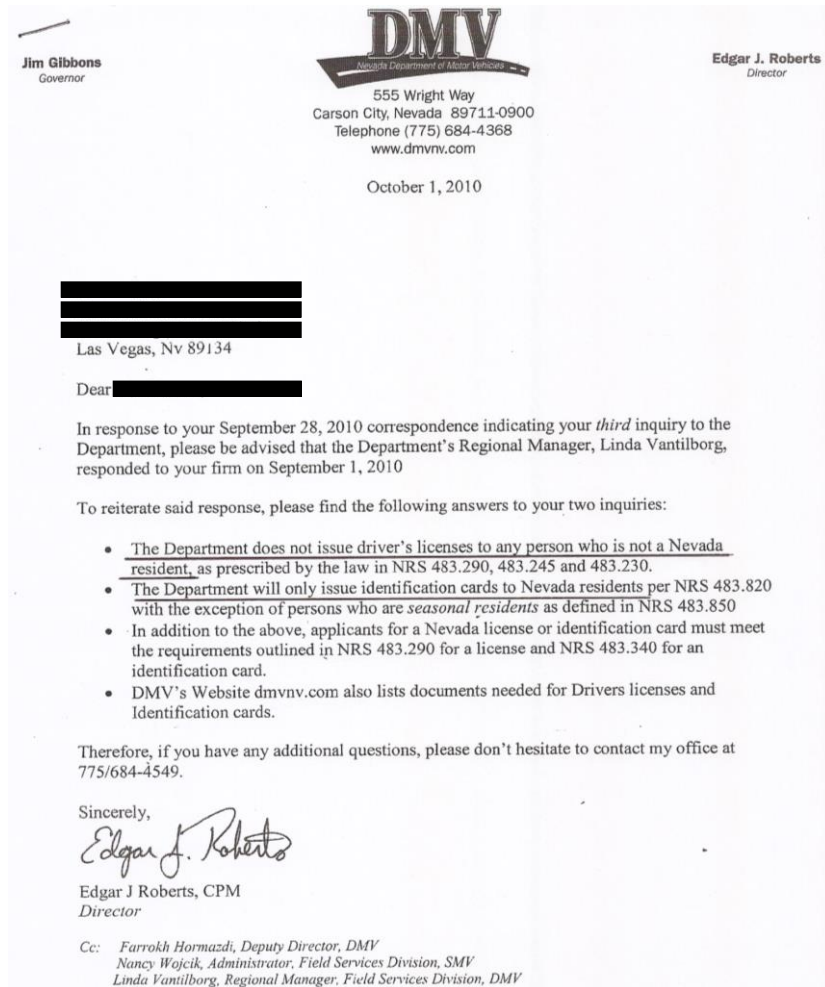
BUT NRS 483.250 PROHIBITS issuance of driver's licenses to nonresidents:

NRS 483.250 Issuance of license to certain persons **prohibited**; exceptions. The Department shall **not** issue any license pursuant to the provisions of NRS 483.010 to 483.630, inclusive:

7. **To any person who is not a resident** of this State. [emphasis added]

This, too, is EXACTLY “a system of registration and identification of any class of aliens [residing] within the country” in Fong Yue Ting.

Further proof that enforcement of these statutes is ONLY in relation to “residents” is shown in the following official letter from the Director of the Department of Motor Vehicles:



NOW, let's re-examine more closely, in the light of all of the above, what NRS 483.230 *actually* says, “a person shall not drive any motor vehicle”. We know from above that a vehicle is not a “motor” vehicle unless “gainful use” is *actually happening*, at the current moment. Furthermore, the person is not “driving”, i.e., he is not a “driver”, unless that “gainful use” is happening, in the moment. “The person” must be a “driver” before NRS 483.230 requires a license. The statute *should* say, “**a driver shall not drive ... unless such driver has a valid license as a driver**”. Now add on what we have seen several times, that all of this APPLIES **ONLY IF** the person is a “resident”! If the “person” is NOT a “resident”, then these code sections do not apply. A license is PROHIBITED.

This reading IS COMPLETELY DIFFERENT from what the average reader would make from a casual reading of the statutes.

SO, are you a resident? Are you a driver? Are you driving a motor vehicle?

But, wait! Some people will say, “What about NRS 483.141 ‘Resident’ defined.”, the so-called (this will be explained below) “definition” of “resident” that is actually in Chapter 483.

Okay, we can examine that “definition”, and we will. But think about it. If you actually ARE a “resident”, then the Supreme Court said over 100 years ago that government can “prescribe” ANY “conditions as it may see fit”, “without regard to the guarantees of the Constitution.”

The statutes could say that “resident” means “a ham sandwich” and that “motor vehicle” means “chicken salad”, and “residents” could still be required to get a driver's license and register their vehicles. But that would be too obvious.

So let's look at the definitions of “resident” in the Nevada Revised Statutes.

If you use a computer to search the 18,000 pages of the NRS, you will find that the term “resident” is defined seven (7) times, and each definition *is different* from the other. (Incidentally, “motor vehicle” is defined twelve (12) times, all different.) And NONE of these

seven definitions has *the slightest suggestion* of the meaning the Supreme Court has determined to be **the law of the land**, and confirmed time and again, across more than 100 years.

Here is the so-called “definition” of “resident” in NRS Chapter 483:

NRS 483.141 “Resident” defined.

1. “Resident” includes, but is not limited to, **a person**:

(a) Whose **legal residence** is in the State of Nevada.

(b) Who **engages in** intrastate **business** and **operates in** such a business any **motor vehicle**, trailer or semitrailer, or any person maintaining such vehicles in this State, as the home state of such vehicles.

(c) Who physically resides in this State and **engages in a trade, profession, occupation** or **accepts gainful employment** in this State.

(d) **Who declares that he or she is a resident** of this State **to obtain privileges not ordinarily extended to nonresidents** of this State.

2. The term does not include a person who is an actual tourist, an out-of-state student, a foreign exchange student, a border state employee or a seasonal resident.

3. **The provisions of this section do not apply** to drivers of vehicles operated in this State under the provisions of NRS 482.385, 482.390, 482.395 or 706.801 to 706.861, inclusive. [emphasis added]

In the first line, NRS 483.141 1. makes out “a person”, a legal device, virtually an empty bucket that a court can ascribe ANY rights and duties to, that the court may choose. What a “person” is, in the law, is beyond the scope of this booklet. But we saw above that a “person” could be an *alien*, or a “person” could be a Citizen; *two completely different* “persons” with completely different rights and duties. So, which “person” is this?

NRS 483.141 does not mention a Man, or a member of “the People”, or “a Citizen” or a “native born Citizen” expressly referred to in the Nevada Constitution, or a Nevadan, or “the traveling public”. It also does not mention that the term “resident” is used in both the national and state Constitutions, or that the meaning of “resident” is well-settled in Supreme Court decisions. The fact is, the law of the land is, and the premise of NRS 483.141 is, that a “resident” **is an alien** living among the Citizens, the People. NRS 483.141 *presumes* that, and presents *nothing* to controvert that. **NRS 483.141 is in complete accord with the law of the land.** The question is, Will this *alien become a resident alien* in order “to obtain privileges not ordinarily extended to nonresident” *aliens*?

NOW, to get the best understanding of **NRS 483.141 “Resident” defined**, surprisingly, one must examine the statute *backwards*, from the bottom up. So, we will look first at number 3., then 1. (d), then 1. (c), 1. (b) and 1. (a). (Number 2., we are not interested in.)

Looking at 3., you will recall that if you “use the highways” “for a gainful purpose”, then Chapter 706 governs that conduct and that use. **But look what 3. says:** “The provisions of this section **do not apply** to drivers of vehicles operated ... under the provisions of NRS ... 706.801 to 706.861” Number 3. says that **this entire definition of “Resident”** in Chapter 483 **DOES NOT APPLY TO YOU** if your activity is governed by Chapter 706. So, 3. is not a definition; it is a complete *EXIT* from this “definition”.

Next, 1. (d) says you can **DECLARE YOURSELF to be** a “resident”? Wait a minute. 1. (d) is saying, **YOU HAVE TO DECLARE YOURSELF TO BE AN ALIEN**, in order to become a *resident alien*, for the purpose “to obtain privileges not ordinarily extended to nonresident” *aliens*!

For a Citizen, a member of the People, **1. (d) is preposterous on its face!** No Citizen would knowingly **declare himself to be an alien**, in order to “obtain privileges”. Citizens do not “obtain privileges”. The Citizens, the People, are the source of the privileges being granted to the aliens who become residents.

1 (c), 1(b) and 1(a) can now be seen as just a short list of *privileges* that an *alien* may be granted IF and when he becomes a *resident alien* **by making the declaration in 1.(d)**.

Looking at 1 (c), a *resident alien* may “enjoy ... the advantages which the laws or custom gives them” to engage in a trade, profession or occupation or accept “**gainful**” employment within the country, a *privilege* that is prohibited to *nonresident* aliens.

In 1 (b), a *resident alien* may “enjoy ... the advantages which the laws or custom gives them” to engage in business and operating a “motor” vehicle in that business within the country, a *privilege* that is prohibited to *nonresident* aliens.

In 1 (a), “Legal residence” is not defined here. In fact, this term IS defined only one time in the NRS, as:

NRS 10.155 Legal residence. Unless otherwise provided by specific statute, **the legal residence of a person** with reference to the person’s right of naturalization, right to maintain or defend any suit at law or in equity, or any other right dependent on residence, **is that place** where the person has been physically present within the State or county, as the case may be, **during all of the period for which residence is claimed** by the person. Should any person absent himself or herself from the jurisdiction of his or her residence with the intention in good faith to return without delay and continue his or her residence, the time of such absence is not considered in determining the fact of residence.

Again, you would have **TO CLAIM TO BE** an *alien*, and a “resident” alien, to *even HAVE* a “legal residence”. Why would members of the People or Citizens, **claim** to be mere “resident” *aliens*?

Look at this from the other direction.

Reconsider 1. (a) this way: **Citizens of a country have a perfect right to live in their own country.** Aliens do not have this right. It has been suggested that 1. (a) says that “if you live here, then 1. (a) **MAKES** you a resident”. A Citizen living in his own country **is not converted** into an *alien* who can then *become* a *resident alien* so he can exercise a *privilege* of living in the country, a *privilege* that would not ordinarily be extended to *nonresident* aliens.

Reconsider 1. (b): **Citizens of a country have a perfect right to contract in their own country** (i.e., doing “business”) **and to use a vehicle in their private affairs.** Aliens do not have this right. Citizens who contract **are not converted** into *aliens* who can then *become resident* aliens so they can exercise some *privilege* of engaging in business in the country, a *privilege* that would not ordinarily be extended to *nonresident* aliens.

Reconsider 1. (c): **Citizens of a country have a perfect right to work in their own country.** Aliens do not have this right. A Citizen, by working, **is not converted** into an *alien* who can then *become a resident alien* so he can exercise the *privilege* of working in the country, a *privilege* that would not ordinarily be extended to *nonresident* aliens.

But, IF you ARE an alien, and you want *privileges*:

- to live here, or
- do business here, or
- work here

THEN you MUST go down to the DMV and **DECLARE YOURSELF**, to get your government identity card, so you can do these things legally, as a *privilege* granted to a *resident* alien, that would not ordinarily be extended to *nonresident* aliens.

And so it is surprising to see, that NRS 483.141 **IS NOT A “DEFINITION” AT ALL**, of the word “resident”. It never mentions the meaning of “resident” used by the Supreme Court; it does not add to that meaning or subtract from that meaning. It merely says in 1. (d), that IF you **DECLARE YOURSELF TO BE AN ALIEN**, and a *resident* alien, to get some *privileges*, a few of which are listed in 1. (a), (b) and (c), **THEN you can make an election to be treated like an alien**, a *resident* alien, a “resident”.

Reader, this says, that **IF YOU DECLARE YOURSELF TO BE AN ALIEN, THEN YOU CAN GET A DRIVER’S LICENSE OR AN IDENTIFICATION CARD!**

So what happens if you DON’T make such a declaration? Well, if you are not a “resident”, under NRS 483.250, the DMV is **PROHIBITED** from issuing you a driver’s license!

By the way, NRS 483.530 makes it a felony to commit fraud on an application for a license (like, for example, concealing the material fact that you are a Citizen and not a mere resident, when *nonresidents* are prohibited from being issued licenses):

NRS 483.530 Unlawful uses of license; prohibited acts related to provision of false information or commission of fraud in connection with application for license or identification card; penalties.

...

2. Except as otherwise provided in this subsection, a person who uses a false or fictitious name in any application for a driver’s license or identification card or who knowingly makes a false statement or knowingly conceals a material fact or otherwise commits a fraud in any such application is guilty of a category E felony and shall be punished as provided in NRS 193.130.

THE BOTTOM LINE IS:

The NRS, in Chapters 482, 483 and 706, in clear language, both in Legislative declaration and in the text of the statutes, *intend* to and *do* prescribe licensing and regulation of two classes: 1) **persons engaged in a gainful occupation** on the highways, and 2) **aliens** (i.e. foreigners) **who become residents**, living *among* the People of Nevada. The authority to regulate “commercial use” is the police power of the state. The authority to regulate *aliens* is the Law of Nations, which is not cited in the NRS, but is the controlling authority in the law of the land as proclaimed by the Supreme Court cases cited on the subject. **The People, the Citizens, the traveling and shipping public** are NOT subject to these Chapters. They are the **beneficiaries** of these statutes. These Chapters are carefully crafted to: a) subject “gainful users” to license and registration, b) capture aliens who *merely reside* among the People and subject them to the same license and registration, and c) **allow the People to pass right through that statutory net!**

But you have to know who you are! If you ACTUALLY ARE a “resident” then YES, you must get license and registration. OR if you are engaged in “commercial use” of the highways, then YES, you must get a license for that use and register your vehicle for that use.

But, if you are **not** a “resident” and you **never** make a “commercial use” of your vehicle, **if you are a member of “the People” or “the Citizens” or “the traveling public”**, the Legislature *never intended* for you to be licensed and registered. **If you are tired of being treated like an alien in your own country, HERE IS YOUR DOORWAY OUT . . .**

The statutes expressly provide you a remedy in the these five code sections:

Two sections in Chapter 482, Motor Vehicles . . . :

NRS 482.080 “Nonresident” defined. “Nonresident” means every person who is **not a resident** of this State, and who **does not use** his or her motor vehicle for a gainful purpose.

NRS 482.385 Registration of vehicle of nonresident owner not required;

1. . . a nonresident owner . . . may operate . . . the vehicle . . . without its registration . . . and without the payment of any registration fees . . .

9. A vehicle may be cited for a violation of this section . . . if, after communicating with the owner or operator of the vehicle, the peace officer issuing the citation determines that:

- (a) The owner of the vehicle is a resident of this State; or
- (b) The vehicle is used in this State for a gainful purpose.

Two sections in Chapter 483, Driver’s Licenses . . . :

NRS 483.100 “Nonresident” defined. “Nonresident” means every person who is **not a resident** of this State.

NRS 483.250 Issuance of license to certain persons prohibited; exceptions. The Department shall **not** issue any license . . .

7. To any person who is not a resident of this State.

One section in Chapter 706, Motor Carriers:

NRS 706.736 Exemption of certain vehicles and transportation from provisions regulating certain motor carriers; applicability of certain provisions.

1. . . the provisions of NRS 706.011 to 706.791, inclusive, **do not apply to:**

- (b) Any person engaged in transporting the person’s own personal effects in the person’s own vehicle.

SOMETHING TO CONSIDER

There IS NO LAW in Chapters 482, 483 and 706, and thus NO AUTHORITY OF LAW **to compel** these Chapters **upon the People**, the beneficiaries.

For one thing, the People cannot be *compelled* to abandon their native Citizenship and become *aliens*, resulting in a complete loss of all political rights, just to get some phony ID card [that identifies you incorrectly] and a few so-called *privileges*.

So when police **enforce upon the People** statutes that are *intended for*, and *only apply to*, **commercial users** and *aliens*, then HUGE problems results.

The fact is, **the People ARE the State**, *Penhallow, et al. v. Doane's Administrators*, 3 U.S. 55, 94 (A.D. 1795). The People are not *grantees of privileges* of driver's licenses and registration. **The People are the GRANTORS of these privileges**. So when the police, who themselves have all **declared themselves** to be *aliens* who merely reside among the People; when the police use **force** to compel Chapters 482, 483 and 706 upon the People, the police, **without authority of law**, are literally committing *acts of war* upon the State, upon the People, which is literally the definition of treason, a capital crime.

These acts of **enforcement**, depending upon escalation of the situation, rise to, at least, a total lack of authority of law, a resulting loss of immunity (the police become personally liable), concealment of material facts (fraud), failure of legal process, conversion (of legal rights), unjust enrichment, counterfeiting, assault, battery, unlawful arrest, false imprisonment, kidnapping, all aggravated by use of a deadly weapon, piracy (if they steal your car), and treason ... offenses whose penalties rise all the way up to the death penalty!

The police have no law, and no authority of law to be doing all these things to the People, to the Citizens.

And in all these ways, the People, through their ignorance of the law, are subjected to the biggest CON GAME in history (racketeering?, enforced by armed men). The state, through its police employees, is literally **plundering** the People, the Citizens, an estimated **\$1 Billion dollars per year**, just in Nevada, one of the least populated states, all claiming authority over *aliens* and commercial users. You will find that other states have a similar scheme.

O. J. Simpson came to Las Vegas several years ago and, "without authority of law", held two men, against their will, for just 6 minutes, with guns, and took some stuff. For this he was convicted of kidnapping and robbery. **O. J. is now in prison for up to 33 years, for far less crimes than are described above.**

If you want to see what else your agents in government have been doing,

GO TO www.nativebornCitizen.com