

ASSEMBLY BILL NO. 358—ASSEMBLYMAN PERKINS

MARCH 17, 2003

Referred to Committee on Transportation

SUMMARY—Revises provisions relating to certain special license plates. (BDR 43-1140)

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

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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 motor vehicles; providing for the design, preparation and issuance of special license plates by petition to the Department of Motor Vehicles under certain circumstances; imposing a fee for the issuance and renewal of such license plates; setting forth criteria for the design of such license plates; creating and setting forth the powers of the Commission on Special License Plates; limiting the number of different designs of certain special license plates that may be issued by the Department at any one time; providing in certain circumstances for the withdrawal from use of a particular design of special license plate; expanding the purposes for which money in the Revolving Account for the Issuance of Special License Plates may be used; and providing other matters properly relating thereto.

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

1 **Section 1.** Chapter 482 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 5, inclusive, of this
3 act.

4 **Sec. 2. 1. A person may request that the Department**
5 **design, prepare and issue a special license plate by submitting an**
6 **application to the Department.**



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- 1 2. *An application submitted to the Department pursuant to*
2 *subsection 1:*
3 (a) *Must be on a form prescribed and furnished by the*
4 *Department;*
5 (b) *Must be accompanied by a petition containing the*
6 *signatures of at least 250 persons who wish to obtain the special*
7 *license plate;*
8 (c) *Must specify whether the special license plate being*
9 *requested is intended to generate financial support for a particular*
10 *cause or charitable organization and, if so, the name of the cause*
11 *or charitable organization; and*
12 (d) *May be accompanied by suggestions for the design of and*
13 *colors to be used in the special license plate.*
14 3. *Except as otherwise provided in this subsection, the*
15 *Department may design and prepare a special license plate*
16 *requested pursuant to subsection 1 if:*
17 (a) *The Department determines that the application for that*
18 *plate complies with subsection 2; and*
19 (b) *The Commission on Special License Plates approves the*
20 *application for that plate pursuant to subsection 5 of section 3 of*
21 *this act.*
22 *The Department shall not design and prepare a special license*
23 *plate requested pursuant to subsection 1 if the Department*
24 *receives fewer than 1,000 applications for the issuance of the plate*
25 *within 2 years after the date on which the Department received the*
26 *initial application for the design, preparation and issuance of the*
27 *plate pursuant to subsection 1.*
28 4. *Except as otherwise provided in section 5 of this act, the*
29 *Department may issue a special license plate that:*
30 (a) *The Department has designed and prepared pursuant to*
31 *this section;*
32 (b) *The Commission on Special License Plates has approved*
33 *for issuance pursuant to subsection 5 of section 3 of this act; and*
34 (c) *Complies with the requirements of subsection 8 of NRS*
35 *482.270,*
36 *for any passenger car, light commercial vehicle or motorcycle*
37 *upon application by a person who is entitled to license plates*
38 *pursuant to NRS 482.265 and who otherwise complies with the*
39 *requirements for registration and licensing pursuant to this*
40 *chapter. A person may request that personalized prestige license*
41 *plates issued pursuant to NRS 482.3667 be combined with a*
42 *special license plate issued pursuant to this section if that person*
43 *pays the fees for personalized prestige license plates in addition to*
44 *the fees for the special license plate.*



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1 5. If, during a registration year, the holder of license plates
2 issued pursuant to the provisions of this section disposes of the
3 vehicle to which the plates are affixed, the holder shall:

4 (a) Retain the plates and affix them to another vehicle that
5 meets the requirements of this section if the holder pays the fee for
6 the transfer of the registration and any registration fee or
7 governmental services tax due pursuant to NRS 482.399; or

8 (b) Within 30 days after removing the plates from the vehicle,
9 return them to the Department.

10 **Sec. 3. 1.** There is hereby created the Commission on
11 Special License Plates consisting of five Legislators and three
12 nonvoting members as follows:

13 (a) Five Legislators appointed by the Legislative Commission,
14 one of whom is:

15 (1) The Legislator who served as the Chairman of the
16 Assembly Standing Committee on Transportation during the most
17 recent legislative session; and

18 (2) One of whom is the Legislator who served as the
19 Chairman of the Senate Standing Committee on Transportation
20 during the most recent legislative session.

21 (b) Three nonvoting members consisting of:

22 (1) The Director of the Department of Motor Vehicles, or
23 his designee.

24 (2) The Director of the Department of Public Safety, or his
25 designee.

26 (3) The Director of the Department of Cultural Affairs, or
27 his designee.

28 2. Each member of the Commission appointed pursuant to
29 paragraph (a) of subsection 1 serves a term of 2 years,
30 commencing on July 1 of each odd-numbered year. A vacancy on
31 the Commission must be filled in the same manner as the original
32 appointment.

33 3. Members of the Commission serve without salary or
34 compensation for their travel or per diem expenses.

35 4. The Director of the Legislative Counsel Bureau shall
36 provide administrative support to the Commission.

37 5. The Commission shall approve or disapprove:

38 (a) Applications for the design, preparation and issuance of
39 special license plates that are submitted to the Department
40 pursuant to subsection 1 of section 2 of this act; and

41 (b) The issuance by the Department of special license plates
42 that have been designed and prepared pursuant to section 2 of this
43 act.

44 In determining whether to approve such an application or
45 issuance, the Commission shall consider, without limitation,



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1 *whether it would be appropriate and feasible for the Department*
2 *to, as applicable, design, prepare or issue the particular special*
3 *license plate.*

4 **Sec. 4. 1.** *The fee for special license plates designed,*
5 *prepared and issued pursuant to section 2 of this act is \$35, in*
6 *addition to all other applicable registration and license fees and*
7 *governmental services taxes. The license plates are renewable*
8 *upon the payment of \$10.*

9 **2.** *In addition to all other applicable registration and license*
10 *fees and governmental services taxes and the fee prescribed in*
11 *subsection 1, if a special license plate is designed, prepared and*
12 *issued pursuant to section 2 of this act to generate financial*
13 *support for a particular cause or charitable organization, a person*
14 *who requests a set of such license plates must pay for the initial*
15 *issuance of the plates an additional fee of \$25 and for each*
16 *renewal of the plates an additional fee of \$20, to be distributed in*
17 *the manner described in subsection 3.*

18 **3.** *The Department shall deposit the additional fees collected*
19 *pursuant to subsection 2 with the State Treasurer for credit to an*
20 *account created in the State General Fund for the benefit of the*
21 *particular cause or charitable organization for whose financial*
22 *benefit the special license plate was created. The Department shall*
23 *designate an appropriate state agency to administer the account.*
24 *The state agency designated by the Department to administer the*
25 *account shall, at least once each quarter, distribute the fees*
26 *deposited pursuant to this subsection to the particular cause or*
27 *charitable organization for whose benefit the special license plate*
28 *was created.*

29 **4.** *Money in an account created pursuant to subsection 3 does*
30 *not lapse to the State General Fund at the end of a fiscal year. The*
31 *interest and income earned on money in such an account, after*
32 *deducting any applicable charges, must be credited to the account.*

33 **Sec. 5. 1.** *As used in this section, "special license plate"*
34 *means:*

35 *(a) A license plate that the Department has designed and*
36 *prepared pursuant to section 2 of this act in accordance with the*
37 *system of application and petition described in that section; and*

38 *(b) A license plate approved by the Legislature that the*
39 *Department has designed and prepared pursuant to NRS*
40 *482.37903, 482.37905, 482.37917, 482.379175, 482.37918,*
41 *482.3792, 482.3793, 482.37933, 482.37934, 482.37935, 482.37937,*
42 *482.37938 or 482.37945.*

43 **2.** *Notwithstanding any other provision of law to the contrary,*
44 *the Department shall not, at any one time, issue more than 25*
45 *separate designs of special license plates.*



1 3. Except as otherwise provided in this subsection, on
2 October 1 of each year the Department shall assess the viability of
3 each separate design of special license plate that the Department is
4 currently issuing by determining the total number of validly
5 registered motor vehicles to which that design of special license
6 plate is affixed. The Department shall not determine the total
7 number of validly registered motor vehicles to which a particular
8 design of special license plate is affixed if:

9 (a) The particular design of special license plate was designed
10 and prepared by the Department pursuant to section 2 of this act;
11 and

12 (b) On October 1, that particular design of special license plate
13 has been available to be issued for less than 12 months.

14 4. Except as otherwise provided in subsection 6, if, on
15 October 1, the total number of validly registered motor vehicles to
16 which a particular design of special license plate is affixed is:

17 (a) In the case of special license plates designed and prepared
18 by the Department pursuant to section 2 of this act, less than the
19 number of signatures required pursuant to paragraph (b) of
20 subsection 2 of that section; or

21 (b) In the case of special license plates authorized directly by
22 the Legislature which are described in paragraph (b) of subsection
23 1, less than the number of applications required to be received by
24 the Department for the initial issuance of those plates,
25 the Director shall provide notice of that fact in the manner
26 described in subsection 5.

27 5. The notice required pursuant to subsection 4 must be
28 provided:

29 (a) If the special license plate generates financial support for a
30 cause or charitable organization, to that cause or charitable
31 organization.

32 (b) If the special license plate does not generate financial
33 support for a cause or charitable organization, to an entity which
34 is involved in promoting the activity, place or other matter that is
35 depicted on the plate.

36 6. If, on October 1 of the year immediately succeeding the
37 year in which notice was provided pursuant to subsections 4 and 5,
38 the total number of validly registered motor vehicles to which a
39 particular design of special license plate is affixed is:

40 (a) In the case of special license plates designed and prepared
41 by the Department pursuant to section 2 of this act, less than the
42 number of signatures required pursuant to paragraph (b) of
43 subsection 2 of that section; or

44 (b) In the case of special license plates authorized directly by
45 the Legislature which are described in paragraph (b) of subsection



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1 *1, less than the number of applications required to be received by*
2 *the Department for the initial issuance of those plates,*
3 *the Director shall, notwithstanding any other provision of law*
4 *to the contrary, issue an order providing that the Department will*
5 *no longer issue that particular design of special license plate.*
6 *Such an order does not require existing holders of that particular*
7 *design of special license plate to surrender their plates to the*
8 *Department and does not prohibit those holders from renewing*
9 *those plates.*

10 **Sec. 6.** NRS 482.1805 is hereby amended to read as follows:

11 482.1805 1. The Revolving Account for the Issuance of
12 Special License Plates is hereby created as a special account in the
13 Motor Vehicle Fund. An amount equal to \$35 of the fee received by
14 the Department for the initial issuance of a special license plate, not
15 including any additional fee which may be added to generate
16 financial support for a particular cause or charitable organization,
17 must be deposited in the Motor Vehicle Fund for credit to the
18 Account.

19 2. The Department shall use the money in the Account to
20 ~~pay~~:

21 (a) Pay the expenses involved in issuing special license plates
22 ~~;~~; and

23 (b) *Purchase improved and upgraded technology, including,*
24 *without limitation, digital technology for the production of special*
25 *license plates, to ensure that special license plates are produced in*
26 *the most efficient manner possible.*

27 3. Money in the Account must be used only for the ~~purpose~~
28 *purposes* specified in subsection 2.

29 4. At the end of each fiscal year, the State Controller shall
30 transfer from the Account to the State Highway Fund an amount of
31 money equal to the balance in the Account which exceeds \$50,000.

32 **Sec. 7.** NRS 482.216 is hereby amended to read as follows:

33 482.216 1. Upon the request of a new vehicle dealer, the
34 Department may authorize the new vehicle dealer to:

35 (a) Accept applications for the registration of the new motor
36 vehicles he sells and the related fees and taxes;

37 (b) Issue certificates of registration to applicants who satisfy the
38 requirements of this chapter; and

39 (c) Accept applications for the transfer of registration pursuant
40 to NRS 482.399 if the applicant purchased from the new vehicle
41 dealer a new vehicle to which the registration is to be transferred.

42 2. A new vehicle dealer who is authorized to issue certificates
43 of registration pursuant to subsection 1 shall:

44 (a) Transmit the applications he receives to the Department
45 within the period prescribed by the Department;



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1 (b) Transmit the fees he collects from the applicants and
2 properly account for them within the period prescribed by the
3 Department;

4 (c) Comply with the regulations adopted pursuant to subsection
5 4; and

6 (d) Bear any cost of equipment which is necessary to issue
7 certificates of registration, including any computer hardware or
8 software.

9 3. A new vehicle dealer who is authorized to issue certificates
10 of registration pursuant to subsection 1 shall not:

11 (a) Charge any additional fee for the performance of those
12 services;

13 (b) Receive compensation from the Department for the
14 performance of those services;

15 (c) Accept applications for the renewal of registration of a motor
16 vehicle; or

17 (d) Accept an application for the registration of a motor vehicle
18 if the applicant wishes to:

19 (1) Obtain special license plates pursuant to NRS 482.3667
20 to 482.3825, inclusive ~~§~~, *and section 2 of this act*; or

21 (2) Claim the exemption from the governmental services tax
22 provided pursuant to NRS 361.1565 to veterans and their relations.

23 4. The Director shall adopt such regulations as are necessary to
24 carry out the provisions of this section. The regulations adopted
25 pursuant to this subsection must provide for:

26 (a) The expedient and secure issuance of license plates and
27 decals by the Department; and

28 (b) The withdrawal of the authority granted to a new vehicle
29 dealer pursuant to subsection 1 if that dealer fails to comply with the
30 regulations adopted by the Department.

31 **Sec. 8.** NRS 482.270 is hereby amended to read as follows:

32 482.270 1. Except as otherwise provided *in this section or* by
33 specific statute, the Director shall order the redesign and preparation
34 of motor vehicle license plates with colors that are predominately
35 blue and silver. The Director may substitute white in place of silver
36 when no suitable material is available.

37 2. Except as otherwise provided in subsection 3, the
38 Department shall, upon the payment of all applicable fees, issue
39 redesigned motor vehicle license plates pursuant to this section to
40 persons who apply for the registration or renewal of the registration
41 of a motor vehicle on or after January 1, 2001.

42 3. The Department shall not issue redesigned motor vehicle
43 license plates pursuant to this section to a person who was issued
44 motor vehicle license plates before January 1, 1982, or pursuant to



1 NRS 482.3747, 482.3763, 482.3775, 482.378 or 482.379, without
2 the approval of the person.

3 4. The Director may determine and vary the size, shape and
4 form and the material of which license plates are made, but each
5 license plate must be of sufficient size to be plainly readable from a
6 distance of 100 feet during daylight. All license plates must be
7 treated to reflect light and to be at least 100 times brighter than
8 conventional painted number plates. When properly mounted on an
9 unlighted vehicle, the license plates, when viewed from a vehicle
10 equipped with standard headlights, must be visible for a distance of
11 not less than 1,500 feet and readable for a distance of not less than
12 110 feet.

13 5. Every license plate must have displayed upon it:

14 (a) The registration number, or combination of letters and
15 numbers, assigned to the vehicle and to the owner thereof;

16 (b) The name of this state, which may be abbreviated;

17 (c) If issued for a calendar year, the year; and

18 (d) If issued for a registration period other than a calendar year,
19 the month and year the registration expires.

20 6. The letters I and Q must not be used in the designation.

21 7. Except as otherwise provided in NRS 482.379, all letters and
22 numbers must be of the same size.

23 *8. Each special license plate that is designed, prepared and*
24 *issued pursuant to section 2 of this act must be designed and*
25 *prepared in such a manner that:*

26 *(a) The left-hand one-third of the plate is the only part of the*
27 *plate on which is displayed any design or other insignia that is*
28 *suggested pursuant to paragraph (d) of subsection 2 of that*
29 *section; and*

30 *(b) The remainder of the plate conforms to the requirements*
31 *for coloring, lettering and design that are set forth in this section.*

32 **Sec. 9.** NRS 482.500 is hereby amended to read as follows:

33 482.500 1. Except as otherwise provided in subsection 2 or 3,
34 whenever upon application any duplicate or substitute certificate of
35 registration, decal or number plate is issued, the following fees must
36 be paid:

37
38 For a certificate of registration \$5.00
39 For every substitute number plate or set of plates 5.00
40 For every duplicate number plate or set of plates 10.00
41 For every decal displaying a county name50
42 For every other decal, license plate sticker or tab 5.00
43

44 2. The following fees must be paid for any replacement plate or
45 set of plates issued for the following special license plates:



1 (a) For any special plate issued pursuant to NRS 482.3667,
2 482.3672, 482.3675, 482.370 to 482.376, inclusive, or 482.379 to
3 482.3816, inclusive, *and section 2 of this act*, a fee of \$10.

4 (b) For any special plate issued pursuant to NRS 482.368,
5 482.3765, 482.377 or 482.378, a fee of \$5.

6 (c) Except as otherwise provided in NRS 482.37937 and
7 482.37945, for any souvenir license plate issued pursuant to NRS
8 482.3825 or sample license plate issued pursuant to NRS 482.2703,
9 a fee equal to that established by the Director for the issuance of
10 those plates.

11 3. A fee must not be charged for a duplicate or substitute of a
12 decal issued pursuant to NRS 482.37635.

13 4. The fees which are paid for duplicate number plates and
14 decals displaying county names must be deposited with the State
15 Treasurer for credit to the Motor Vehicle Fund and allocated to the
16 Department to defray the costs of duplicating the plates and
17 manufacturing the decals.

18 5. As used in this section:

19 (a) "Duplicate number plate" means a license plate or a set of
20 license plates issued to a registered owner which repeat the code of
21 a plate or set of plates previously issued to the owner to maintain his
22 registration using the same code.

23 (b) "Substitute number plate" means a license plate or a set of
24 license plates issued in place of a previously issued and unexpired
25 plate or set of plates. The plate or set of plates does not repeat the
26 code of the previously issued plate or set.

27 **Sec. 10.** 1. This section and section 6 of this act become
28 effective upon passage and approval.

29 2. Sections 1 to 5, inclusive, 7, 8 and 9 of this act become
30 effective on July 1, 2003.

